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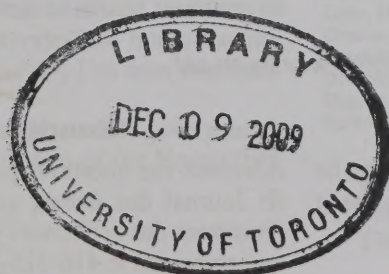
Première session, 39^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 1 December 2009

Mardi 1^{er} décembre 2009



Speaker
Honourable Steve Peters

Clerk
Deborah Deller

Président
L'honorable Steve Peters

Greffière
Deborah Deller

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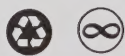
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 1 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 1^{er} décembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a Baha'i prayer.

Prayers.

ORDERS OF THE DAY

TIME ALLOCATION

The Speaker (Hon. Steve Peters): The Minister of Aboriginal Affairs.

Hon. Brad Duguid: I'm pleased to once again resume debate on what is a very important bill before the House. This is a time allocation bill. We've been forced to time allocate this bill because the opposition are expressing some great opposition to this.

We recognize that in some ways they're doing their job, but in other ways, they're standing in the way of tax cuts for the people of Ontario.

Interjections.

The Speaker (Hon. Steve Peters): I ask the leader of Her Majesty's loyal opposition to come to order. Minister of Aboriginal Affairs.

Hon. Brad Duguid: Thank you very much, Mr. Speaker—

Interjections.

The Speaker (Hon. Steve Peters): This House stands recessed.

The House recessed from 0903 to 0919.

The Speaker (Hon. Steve Peters): Two hours having elapsed, pursuant to standing order 47, I'm now required to put the question.

On November 30, Mr. Duguid moved government notice of motion 162. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This vote stands deferred.

Vote deferred.

ONTARIO LABOUR MOBILITY ACT, 2009 LOI ONTARIENNE DE 2009 SUR LA MOBILITÉ DE LA MAIN-D'OEUVRE

Resuming the debate adjourned on November 25, 2009 on the motion for second reading of Bill 175, An

Act to enhance labour mobility between Ontario and other Canadian provinces and territories / Projet de loi 175, Loi visant à accroître la mobilité de la main-d'oeuvre entre l'Ontario et les autres provinces et les territoires du Canada.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 30, 2009, I am now required to put the question.

On September 16, 2009, Mr. Flynn moved second reading of Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the "ayes" have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 0920 to 0925.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time to be recognized by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Balkissoon, Bas
Bradley, James J.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Crozier, Bruce
Delaney, Bob
Dombrowsky, Leona
Duguid, Brad
Fonseca, Peter

Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Mitchell, Carol
Moridi, Reza

Naqvi, Yasir
Pendergast, Leeanna
Pupatello, Sandra
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Mr. Robert W. Runciman: Point of order.

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Gélinas, France
Hudak, Tim

Miller, Norm
Prue, Michael

Witmer, Elizabeth

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 44; the nays are 5.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Second reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 30, 2009, the bill is

ordered referred to the Standing Committee on Justice Policy.

Mr. Runciman rose on a point of order during the vote. Mr. Runciman, on your point of order?

Mr. Robert W. Runciman: My point of order later, Speaker.

I'm giving you notice of a point of privilege for at least two members in this Legislature who were refused their right to vote. We will be filing that point of privilege with you. I think that was unprecedented.

The Speaker (Hon. Steve Peters): Orders of the day.

Hon. Jim Watson: I move that, pursuant to standing order 47 and notwithstanding any other standing order—

Interjections.

The Speaker (Hon. Steve Peters): The leader of Her Majesty's loyal opposition will come to order. The member for Leeds–Grenville will come to order. The member for Nepean–Carleton will come to order. The member for Halton will come to order. The member for Simcoe–Grey will come to order.

Interjections.

The Speaker (Hon. Steve Peters): This House stands recessed.

The House recessed from 0931 to 0956.

VOTING

The Speaker (Hon. Steve Peters): I want to briefly comment on the event that transpired during the vote on Bill 175. It is the responsibility of each member to be in his or her own seat for a recorded vote in the House. Failure to be standing in your place equates to an abstention, which is acceptable under our rules. That members of your own caucus, with your apparent permission, occupy your seats leaves me little sympathy and virtually no choice but to consider that you are abstaining. In short, you cannot contrive a breach of your own privileges.

Mr. Robert W. Runciman: On a point of order, Mr. Speaker: I do not wish to challenge your comment, although that is not a ruling as such; it's just giving your reaction to what occurred. But, I think, from our perspective, the vote on Bill 175 is invalid. We have not had an opportunity to go back and look at a number of precedents, but just quickly looking at Beauchesne's, on page 76, it indicates that a member who wishes to participate must be in his own seat or cannot participate in the vote.

What I'm indicating to you, Speaker, is that the members who were denied the opportunity to vote because their seats were occupied—it's not their responsibility, in our view, for those seats to be available to them. They were elected to occupy those seats. It is the Speaker's responsibility to ensure that those seats are available and that those members are allowed to participate in the votes. So we consider the vote to be invalid, Speaker.

Hon. Monique M. Smith: On a point of order, Mr. Speaker: I would support your comments earlier with respect to this particular issue. I would also indicate that in fact the two members involved are part of a party. They

are not independent members and they are not strangers to this House, occupying seats, but are members of a party that have a leader and a House leader and have the ability to govern themselves accordingly. I would just point out to you that they do have the ability to do this.

Mr. Gerry Martiniuk: On a point of privilege, Mr. Speaker: I was sitting in my seat. I did not have the privilege of voting on behalf of my 200,000 constituents. I was denied the right to vote, though I was sitting in my proper seat ready to vote. I take strong objection to that. I realize there was a great deal of confusion. However, I have been denied and my constituents have been denied the right to vote in this chamber, and that has never happened before. It is a precedent that I hope is never followed.

The Speaker (Hon. Steve Peters): I would just remind the honourable member that I did call twice for those opposed—not once, but twice.

Ms. Lisa MacLeod: On a similar point of privilege that the member from Cambridge noted, my colleague who represents the riding right next to mine, adjacent to mine, from Carleton–Mississippi Mills, was denied a right to vote in this chamber, and in doing so, each one of my colleagues who were sitting in their seats in this chamber were denied the right to vote.

Likewise, my constituents in Nepean–Carleton expect me to come to this place to vote on matters of public importance. Unfortunately, today they were denied the right when they sent me here, the right that was a historic granting and protected by people who fought and died, who fought for our right to vote, who fought for our freedoms in this nation, which were denied today to my colleague, who is adjacent to me in the city of Ottawa, from Carleton–Mississippi Mills. I follow the lead of our House leader in saying that we consider this to be an invalid vote, and I urge you to reconsider.

The Speaker (Hon. Steve Peters): Once again, I remind the honourable member that I twice called for those opposed to the vote. Some of your members did rise and were recorded by the table; others chose not to rise, and they were considered as an abstention within that vote.

I would also say to the honourable member that you recognize that there are two individuals that sit in this House that have been named and that have been asked to leave the chamber. As I said yesterday, I am reluctant to use force to remove those members, and I would encourage you, as an honourable member, to encourage your members to leave the chamber.

Mr. Robert W. Runciman: On a point of order, Mr. Speaker: I would ask you respectfully to consider taking another brief recess to reconsider this, in the view that it is not the member's responsibility; this is a responsibility of the Speaker. I understand your reluctance to act in this situation, but ultimately, the decision to make sure the seats are available so those members can participate in a vote is yours, Speaker. That is your ultimate responsibility, and I urge you to reconsider the decision and reinitiate the vote for Bill 175 so these members can participate as they were elected to do.

The Speaker (Hon. Steve Peters): I thank the honourable member. I am certainly prepared to recess. I would ask that all three government House leaders join me in the side office to deal with this situation.

I will say to the honourable member from Leeds-Grenville that your assistance in ensuring that the members would leave willingly and without force would be appreciated, because a Speaker having to engage the use of force is going to reflect badly on all of us within this chamber, and your co-operation would be appreciated.

This House stands recessed, and I would ask the House leaders to join me in the side office.

The House recessed from 1003 to 1017.

The Speaker (Hon. Steve Peters): This House stands recessed until 10:30.

The House recessed from 1017 to 1030.

INTRODUCTION OF VISITORS

Mrs. Elizabeth Witmer: I am very pleased to introduce the family of my page: his father, Kevin Crowley; his mother, Catherine Thompson; his sisters Hélène and Elizabeth; and of course, my page is the wonderful Simon, right here.

Mr. Peter Tabuns: It's my pleasure to welcome students from the City Adult Learning Centre from my riding, who are seated in the Speaker's gallery. Welcome.

Mrs. Carol Mitchell: It's my pleasure to introduce the parents of Valerie Steckle, Cam and Kathy Steckle, and grandparents Paul and Kathy Steckle. Paul Steckle is our former member of Parliament—for many years—from the riding of Huron-Bruce. Uncle and aunt Mike and Carolyn Regier, and cousins Bradley, Colin, Nolan and Monique, and cousin Emily Hampton—welcome all.

The Speaker (Hon. Steve Peters): A special welcome to the Ontario Legislature to Paul Steckle.

Mr. John O'Toole: It is my distinct pleasure to introduce some very special guests who are here today in support of our troops. They would be Cecile Bowers, Jim Connell, Cliff Wells, and my staff person Cheryl Greenham, from Branch 178 of the Royal Canadian Legion. Welcome to Queen's Park.

M. Gilles Bisson: J'ai le plaisir d'introduire quelqu'un qu'on connaît tous ici assez bien, M. Stewart Kiff, qui vient de Patagonia. Bienvenue.

Mr. Phil McNeely: I would like to introduce people from the OSSTF who are here today—there is a reception at 4 o'clock—Sue Rabb, Cindy Dubué, Carol Crocker and Lucille Allaire. Welcome to Queen's Park.

Mr. Robert Bailey: In the gallery today is Dennis Van Decker, father of page Vanessa Van Decker, who is with us this session.

Mr. Paul Miller: I'd like to welcome from the Ontario Secondary School Teachers' Federation, Hamilton chapter, Anthony Marco, Jack Bruce and Bob MacDonald. Welcome.

Mr. Charles Sousa: I would like to acknowledge in the members' gallery Mr. Emran Ghasemi, a foreign student originally from Tehran, who recently completed his

undergrad studies in England and will soon be attending Concordia University in Montreal. Welcome to Queen's Park.

Mrs. Liz Sandals: I'm delighted to introduce Colin Hunter and Chris Dixon—we lost one along the way; oh, there you are—who are president and vice-president of the OPFFA branch of the Guelph Fire Department. Welcome.

WEARING OF RIBBONS

Hon. Monique M. Smith: Mr. Speaker, I believe we have unanimous consent that all members be permitted to wear red ribbons in recognition of World AIDS Day.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

VISITORS

VISITEURS

M^{me} France Gélinas: I did not have time to introduce my guests. Ça me fait extrêmement plaisir de vous présenter M^{me} Anne Amyotte, de la Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario, and it is my pleasure to introduce to you, from OSSTF, Sandy Bass, Mike Page and Bill McGilles. Welcome to Queen's Park.

Mr. Peter Tabuns: On a point of order, Speaker: Are the red ribbons referred to by the leader available to all members?

Interjections.

Mr. Peter Tabuns: No objection to people wearing them; it's just that all members should be—

The Speaker (Hon. Steve Peters): They are to be distributed.

ORAL QUESTIONS

USE OF QUESTION PERIOD

The Speaker (Hon. Steve Peters): As I indicated to the House leader of the official opposition prior to question period this morning, I have requested of him that the two suspended members move from the floor, and I give the two honourable members the opportunity to leave the chamber at this time.

I think it's important that the opposition have the opportunity to keep the government accountable during question period, and this is the opposition parties' only opportunity. So I will ask once again that the honourable members leave the chamber.

Seeing that they're not prepared to vacate the chamber, I'm going to be prepared to let the clock run.

Mr. Robert W. Runciman: On a point of order: I think it should be clarified for everyone who's viewing these proceedings that we have attempted to resolve this impasse, I think, in a significant way by conceding in terms of public hearings to the point where we were prepared to live with one day of public hearings outside the

city of Toronto to resolve this issue, but the government has denied even one day of public hearings outside the city of Toronto.

Interjections.

The Speaker (Hon. Steve Peters): I just want to clarify that I am not prepared to continue with question period while these two members are occupying the front benches, and I am prepared to let the clock run.

Interjections.

The Speaker (Hon. Steve Peters): The member from Nepean—Carleton is out of order.

Interjections.

The Speaker (Hon. Steve Peters): The member from Renfrew—Nipissing—Pembroke on a point of order.

Mr. John Yakabuski: This Legislature is not being held up because of the presence of the member from Bruce—Grey—Owen Sound or the member from Lanark—Frontenac—Lennox and Addington. It is being held up by the intransigence of this government.

The Speaker (Hon. Steve Peters): That is not a point of order.

This House stands recessed.

The House recessed from 1041 to 1135.

VOTING

Mr. Ted Chudleigh: On a point of order, Mr. Speaker: Just a while ago we were denied the right to vote on an important piece of government legislation. Standing order 28(c) is very clear. Standing order 28(c) says, "When the members have been called in, the Speaker shall again put the question and, subject to standing order 12, every member present at that time who wishes to vote shall rise and record his or her vote."

The members of our party wanted to vote on Bill 175, which was recorded just prior to the recess, and we were denied that right. Mr. Speaker, I would like to know which order in the standing orders allowed you to take that decision.

The Speaker (Hon. Steve Peters): I remind the honourable member again of the comments that I made earlier today: It is the responsibility of each member to be in his or her own seat for a recorded vote in the House. Failure to be standing in your place equates to an abstention, which is acceptable under our rules. That members of your own caucus were occupying your seats leaves me with no choice but to consider that you're abstaining, in short, and you cannot contrive a breach of your own privileges.

Interjections.

The Speaker (Hon. Steve Peters): I want to thank the honourable member from Halton for his point of order.

I would say to the member for Carleton—Mississippi Mills: If it is your intention to vote for this division, in that case—currently you do not have the ability to occupy your own seat, and I would allow you to occupy the seat for the member from Simcoe—Grey and I will allow you to vote from that seat.

I would say as well to the member from Simcoe—Grey: If it is your intention to vote, in that case, for this div-

ision, I am prepared to allow you to vote from the seat from the member from Lanark—Frontenac—Lennox and Addington.

Mr. Robert W. Runciman: On a point of order, Mr. Speaker: I think we're looking for clarification from you with respect to this decision that you've made. It seems to be in contradiction of the standing orders in terms of the requirements to be in your own seat, to be in your own place. We would look for clarification from you with respect to precedents to allow this to occur.

1140

The Speaker (Hon. Steve Peters): The honourable members appear to have expressed a desire to vote. I'm prepared to accommodate their wishes and will do so in this manner.

The member from Halton on a point of order.

Mr. Ted Chudleigh: Speaker, I was in my seat for the vote called on Bill 175. I was in my seat, and I—

The Speaker (Hon. Steve Peters): I have ruled on that. I gave all members—twice—an opportunity. I called for those opposed. We had a vote to proceed with. Twice I gave the members the opportunity. If members do not rise, they are marked as an abstention.

The member from Leeds—Grenville on a point of order.

Mr. Robert W. Runciman: Speaker, I raised a point of order earlier with respect to the vote on Bill 175 and indicated that, from our perspective, that vote was invalid because two of our members were not allowed to participate. Now you are indicating with respect to this matter that you are going to allow them to occupy seats that are not theirs and participate. I would respectfully request, if you are going to continue along that line, that we do a revote on Bill 175. That is necessary based on the decision that you have taken now.

The Speaker (Hon. Steve Peters): In response to the point of order from the member from Leeds—Grenville, the vote has been taken on Bill 175.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a deferred vote on the allocation motion on Bill 218. Mr. Duguid has moved the vote.

Call in the members. This will be a five-minute bell.

The division bells rang from 1143 to 1148.

The Speaker (Hon. Steve Peters): All those in favour will please rise and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Best, Margaret
Bradley, James J.
Broten, Laurel C.

Duncan, Dwight
Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte

Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Pupatello, Sandra
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony

Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Colle, Mike
Craitor, Kim
Crozier, Bruce
Delaney, Bob
Dickson, Joe
Dombrowsky, Leona

Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Matthews, Deborah
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Mitchell, Carol
Moridi, Reza

Sandals, Liz
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed will please rise one at a time.

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
DiNovo, Cheri
Elliott, Christine
Gélinas, France
Hardeman, Ernie
Horwath, Andrea

Hudak, Tim
Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Tabuns, Peter
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 56; the nays are 29.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

The Speaker (Hon. Steve Peters): The bill is therefore ordered to the finance committee.

This House stands recessed until 3 this afternoon.

The House recessed from 1153 to 1500.

INTRODUCTION OF VISITORS

Mr. John O'Toole: I would like to introduce guests of mine who are soon to arrive: Ms. Marg Maskell and her husband, Dan, and Cheryl, who are here today to raise a flag in support of the Canadian troops.

MEMBERS' STATEMENTS

TAXATION

Mr. Norm Miller: I rise again today to bring to this Legislature the voices of all Ontarians who are concerned with the McGuinty harmonized sales tax.

Martha from Loring wrote: "I'm opposed to the Liberal government trying to introduce the HST into Ontario. It seems to be that every dollar that they can squeeze out of the public is the only way to go to cover up their overspending. The rest of us have to abide by our budgets, and we are certainly not able to charge other people more money to make ends meet. I would appreciate it if you would show this to Dalton McGuinty and his party to let them know that not all of us are in agreement with his plan."

A senior wrote: "Harmonized tax will make me lose my home and will make living on a disability senior's

income impossible. I've been told that maintenance fees on my condo may increase by about \$100 a month. You are attempting to squeeze blood from a stone. My retirement savings investments were devastated by the recent economic problems. Where am I expected to reside after I lose this place?"

Bill writes, "Norm, can anyone sane propose doing this to our economy in its current state? Does the government not read its own unemployment figures? How are these people going to fare with all these increases? They certainly won't have a lot of discretionary cash to spend the economy out of the recession."

I say again to the Premier, you have an obligation to hold public consultations across this province, to hear from Ontarians directly about the impact of your tax. Do the right thing and hold public hearings.

FUNDRAISING

Mr. Yasir Naqvi: I rise today to share with the House and my constituents in Ottawa Centre a tremendous fundraising drive undertaken by students in my riding at Nepean High School and Lisgar Collegiate Institute.

I was privileged to join with these young people to help raise much-needed funds for the United Way of Ottawa and the Dave Smith Youth Treatment Centre by serving delicious pancakes at each of these pancake breakfasts.

On November 6, Nepean High School hosted 400 people, raising \$3,000 for United Way and the David Smith centre. Not only pancakes made this possible; it was also the generous support of local businesses who donated raffle and door prizes that made this such a success.

Celebrity guests included Ryan and Race from new Hot89.9; Joel and Kathie from CTV's Regional Contact, and CTV sports anchor Terry Marcotte.

Lisgar Collegiate held their pancake breakfast on November 20 where almost \$1,500 was raised for United Way by 300 hungry participants.

I would especially like to recognize the student organizers at Nepean High School: Alexandra Tighe, Melanie Judges, Alli Davis and Veronica Green. At Lisgar Collegiate: John Ryan, Jennifer Erskine, Shannon King, Ivy Xu—and many other volunteers at both schools who helped make it such a success, many of whom were flipping pancakes, starting at 5 a.m.

Well done to all the students. I'm very proud of these young people for their hard work to help those in our community who are less fortunate and their peers who suffer from substance abuse issues.

TAXATION

Ms. Lisa MacLeod: I appreciate the opportunity today to talk about the need for public hearings into the HST bill, or Bill 218, as we refer to it here in this chamber.

As you know, the Liberals have used every loophole they could possibly find to ram this legislation through

the Ontario Legislature, and they're going to continue to do that at committee.

I have one piece of correspondence of thousands that have come into my office that I want to read into the record to signify the discontent among Ontarians with this tactic. This comes from the Barrhaven BIA chair, Ken Ross:

"It is certainly a common view that the public in general are very 'unaware' of the implications of this harmonized tax 'HST'."

"It is really quite disturbing to those in attendance as to the way and haste this tax is being pushed through."

"It is also not realistic to coordinate those who are most affected to come to Queen's Park this Thursday to speak on this issue. 'Does Dalton realize that it is less than three weeks to Christmas ... the time of year that either makes or breaks it for most businesses!'"

I need to say that I agree with Mr. Ross, and that is why I and my colleague in the NDP have called for the committee hearings on Thursday morning to start at one minute after 12. We expect the Liberals to support us. We want to sit round the clock, and we'll do just that.

LABOUR MOBILITY

Mr. Rosario Marchese: The government yesterday killed the debate on Bill 175, the labour mobility act, and quickly dispatched it for hearings on Thursday, something we have not seen ever by this government or any previous government: You kill the debate on a Monday and demand hearings on a Thursday—one day of hearings.

Under Bill 175, municipalities and the various regulatory colleges that govern trades, occupations and professions will be put under tremendous pressure to license out-of-province workers, including those with inferior credentials and training. New Democrats believe that forcing Ontario regulators to recognize trade and occupational standards in provinces with lower standards will lower Ontario's standards and will lead to less-qualified workers, which will negatively affect the welfare and safety of Ontarians.

Bill 175 is not about labour mobility. It's about losing our power as a province to determine what work will be done in Ontario and who will do that work.

The real threat, however, is the degree to which legislation like this will ultimately put Ontario at the mercy of international trade agreements and eliminate the province's ability to control its own economic future.

We've had an agreement done between Quebec and Ontario, and there was absolutely no debate. We now have Bill 175 before us and there's virtually very little debate and hardly any hearings. We demand long hearings on this bill.

MUNSEE-DELAWARE FIRST NATION

Mrs. Maria Van Bommel: Two weeks ago, I had the opportunity to visit the Munsee-Delaware First Nation in

my riding of Lambton-Kent-Middlesex to see first-hand what dedication and perseverance can accomplish in a community.

Construction of a small business and community centre began in 1998, but construction was halted due to financial constraints. In January 2008, the residents identified the necessity for a community centre and a small business centre that would fill a host of important needs for the Munsee-Delaware nation. After identifying these needs, the community followed that up with action by holding extensive consultations with various entrepreneurs and organizations.

Through the aboriginal community capital grants program, Munsee-Delaware will now complete construction of the centre by the summer of 2010, using a First Nations construction company and local labour. Already, businesses and organizations have expressed interest in renting commercial space in that small business centre. And the community centre will provide for the local people, especially the youth, a place to come together for social activities and for the teaching of Munsee-Delaware traditions and beliefs.

I want to congratulate the Munsee-Delaware First Nation on their commitment to their community, and I look forward to joining them at the opening ceremonies at the new centre in 2010.

WORLD AIDS DAY

Mrs. Julia Munro: I'm pleased to rise in the House today in recognition of World AIDS Day. There are 33.4 million people across the globe living with AIDS. That's 31.3 million adults, and 2.1 million children under 15.

The first cases of HIV/AIDS in North America were recognized nearly 30 years ago, and there is still no cure.

I would like to take a quick moment here to note a staggering statistic that was brought to my attention today, which is that right here in Canada, over 50% of grade 9 students wrongly believe that there is a cure for AIDS. Awareness campaigns, like the Canadian Foundation for AIDS Research's red ribbon campaign, work to dispel these types of myths among young people and among Canadians in general.

1510

Today, over 100 youth volunteers from the United Youth Initiative are on the streets of Toronto handing out red ribbons to raise awareness about HIV/AIDS. It is estimated that 125,000 red ribbons will be distributed across the country today, as the red ribbon campaign has a presence in nearly every province.

I would like to offer my support and congratulations for a successful World AIDS Day campaign to all those awareness groups who have dedicated many hours and dollars towards this worthy cause, including the AIDS Committee of Toronto; Toronto People with AIDS Foundation; Black CAP; Canadian AIDS Society—they partner with Scotiabank for Walk for Life; Ontario AIDS Network; Alliance for South Asian AIDS Prevention;

Ontario HIV Treatment Network; and Casey House. Thank you for all of your honourable work.

APPRENTICESHIP TRAINING

Mr. Bill Mauro: We all know that Ontario's workers are some of the most productive and skilled in the country. Apprentices are essential for this continued contribution, and the McGuinty government is committed to helping these apprentices succeed. In the global economy, the McGuinty Liberals are giving new apprentices the skills and training to succeed in skilled jobs closer to home, creating a stronger economy and stronger communities.

Supporting apprentices is an investment in Ontario's future, and the McGuinty government's financial investments will help them fill the high-skill, high-quality jobs of the future. This includes providing grants of up to \$2,000 to apprentices upon successful completion of training, and additional grants of up to \$1,500 to help offset the cost of school. This \$8.3-million investment is in addition to our government increasing the apprenticeship training tax credit to \$10,000, making it the most generous tax credit of its kind in Canada.

These investments mean that apprentices can stay in Ontario and gain the skills they need for the future they want right here. We are putting students first, and the McGuinty Liberal support of skilled workers will help us build a stronger Ontario together.

TAXATION

Mr. Bas Balkissoon: I've been listening to the debate about tax harmonization for the past seven months and have been shocked by the volume of incorrect information. For example, yesterday I heard the member for Nepean-Carleton suggest that a senior with a fixed income of \$40,000 a year would be paying \$2,100 more in taxes each year. To pay \$2,100 more in taxes, a senior would need to spend \$26,000 per year on items that were not previously subjected to the PST. That is 65% of their income. With over 80% of purchases not affected by HST, this is simply impossible.

The seniors of Scarborough-Rouge River deserve to hear the facts. What seniors need to know is that their income tax is being reduced by \$360 per year permanently, and their property tax refund will be increased by an additional \$250 annually. Also, a senior would receive a \$300 tax-free credit by way of transitional benefits.

Ontario's government members have been speaking about the benefits of tax reform with seniors since the budget was introduced in March. During that time, we've been providing detailed explanations rather than the half-truths and fear mongering of the opposition.

ROMANIA

Mr. Tony Ruprecht: On December 1, 1918, an important event took place in the history of mankind: the

establishment of the Republic of Romania. On December 1, Romanians all over the world celebrate this independence of the great union of 1918, when, by freely expressing their will, Romanians from all historical provinces previously under foreign domination proclaimed their union with the motherland, thus accomplishing the centuries-long dream of their ancestors: creating the great Romania.

As you probably know, Romanians paid a very heavy price for this independence and the desire to be independent. In 1948, the revolution didn't last very long because the great powers did not support Romanians to be independent. A military struggle took place for this independence in 1877, when King Carol fought against the Ottoman military might. The king won the battle, but he lost 10,000 men.

Today, Romanians are able to dream again. They're part of a united Europe and also part of NATO. When we raised the flag this morning—we also want to celebrate one other item. We want to celebrate the contribution that Romanians have made in Canada, because we find them in every aspect of life.

Representing the government of Romania and Consul General Valentin Naumescu is Mr. Jerry Avram, and we wish the community very well. Congratulations.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that today the Clerk received the report dated December 1, 2009, of the Standing Committee on Government Agencies.

Pursuant to standing order 108(f)9, the report is deemed to be adopted by the House.

Report deemed adopted.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. David Oraziatti: I beg leave to present a report from the Standing Committee on General Government and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill without amendment:

Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996 / *Projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.*

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1516 to 1521.

The Speaker (Hon. Steve Peters): Will the members please take their seats.

To the member from Simcoe–Grey: Is it your intention to vote in this division?

Mr. Jim Wilson: Yes.

The Speaker (Hon. Steve Peters): Thank you. In that case, for this division I'm prepared to allow you to vote from the seat that you currently occupy.

Mr. Oraziotti has moved the Standing Committee on General Government report regarding Bill 187. All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Brown, Michael A.
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Delaney, Bob
Dhillon, Vic
Dickson, Joe
Gerretsen, John

Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Kwinter, Monte
Leal, Jeff
Levac, Dave
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Milloy, John
Mitchell, Carol
Moridi, Reza

Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Pupatello, Sandra
Qaadri, Shafiq
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smith, Monique
Van Bommel, Maria
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Horwath, Andrea

Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John
Prue, Michael

Runciman, Robert W.
Savoline, Joyce
Tabuns, Peter
Wilson, Jim
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 43; the nays are 15.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 19, 2009, the bill is ordered for third reading.

STANDING COMMITTEE ON SOCIAL POLICY

Mr. Shafiq Qaadri: I beg leave to present a report from the Standing Committee on Social Policy and move its adoption.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1524 to 1529.

The Speaker (Hon. Steve Peters): All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Bisson, Gilles
Brown, Michael A.
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Delaney, Bob
Dhillon, Vic
Dickson, Joe
Gerretsen, John

Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Kwinter, Monte
Leal, Jeff
Levac, Dave
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Miller, Paul
Milloy, John
Mitchell, Carol
Moridi, Reza

Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Prue, Michael
Pupatello, Sandra
Qaadri, Shafiq
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smith, Monique
Sousa, Charles
Tabuns, Peter
Van Bommel, Maria
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
MacLeod, Lisa

Miller, Norm
Munro, Julia
O'Toole, John
Runciman, Robert W.

Savoline, Joyce
Wilson, Jim
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 48; the nays are 11.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Report adopted.

The Speaker (Hon. Steve Peters): The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

962 BLOOR STREET WEST LIMITED ACT, 2009

Mr. Ruprecht moved first reading of the following bill:

Bill Pr29, An Act to revive 962 Bloor Street West Limited.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1533 to 1538.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Gravelle, Michael	Oraziotti, David
Albanese, Laura	Hoskins, Eric	Ouellette, Jerry J.
Arnott, Ted	Jaczek, Helena	Pendergast, Leeanna
Arthurs, Wayne	Jeffrey, Linda	Prue, Michael
Bailey, Robert	Johnson, Rick	Pupatello, Sandra
Balkissoon, Bas	Kular, Kuldip	Qaadri, Shafiq
Barrett, Toby	Kwinter, Monte	Ramal, Khalil
Bartolucci, Rick	Leal, Jeff	Rinaldi, Lou
Bisson, Gilles	Levac, Dave	Runciman, Robert W.
Brown, Michael A.	Mauro, Bill	Ruprecht, Tony
Chan, Michael	McMeekin, Ted	Savoline, Joyce
Colle, Mike	McNeely, Phil	Sergio, Mario
Craitor, Kim	Miller, Norm	Smith, Monique
Crozier, Bruce	Miller, Paul	Sousa, Charles
Delaney, Bob	Milloy, John	Tabuns, Peter
Dhillon, Vic	Mitchell, Carol	Van Bommel, Maria
Dickson, Joe	Moridi, Reza	Yakabuski, John
Flynn, Kevin Daniel	Munro, Julia	Zimmer, David
Fonseca, Peter	Naqvi, Yasir	
Gerretsen, John	O'Toole, John	

The Speaker (Hon. Steve Peters): Opposed?

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 58; the nays are 0.

The Speaker (Hon. Steve Peters): I declare the motion carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Monique M. Smith: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: It's that notice for ballot item 56 be waived. It's just a waiving of notice.

Mr. Robert W. Runciman: On a point of order, Mr. Speaker: I would ask the House leader to defer until we can have a brief discussion. This didn't come up at the House leaders' meeting, did it?

Interjection.

Mr. Robert W. Runciman: It did come up? All right, we will agree.

The Speaker (Hon. Steve Peters): Would you please reread the motion?

Hon. Monique M. Smith: I move that, notwithstanding standing order 98(g), notice for ballot item 56 be waived.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

HOUSE SITTINGS

Hon. Monique M. Smith: I move that, pursuant to standing order 6(c)(ii), the House shall meet from 6:45 p.m. to 12 a.m. midnight on Tuesday, December 1, 2009.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1543 to 1548.

The Speaker (Hon. Steve Peters): All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Gravelle, Michael	Naqvi, Yasir
Albanese, Laura	Hampton, Howard	O'Toole, John
Arnott, Ted	Hardeman, Ernie	Oraziotti, David
Arthurs, Wayne	Hoskins, Eric	Ouellette, Jerry J.
Bailey, Robert	Jaczek, Helena	Pendergast, Leeanna
Balkissoon, Bas	Jeffrey, Linda	Pupatello, Sandra
Barrett, Toby	Johnson, Rick	Qaadri, Shafiq
Bartolucci, Rick	Kular, Kuldip	Ramal, Khalil
Brown, Michael A.	Kwinter, Monte	Rinaldi, Lou
Chan, Michael	Leal, Jeff	Runciman, Robert W.
Colle, Mike	Levac, Dave	Ruprecht, Tony
Craitor, Kim	Mauro, Bill	Savoline, Joyce
Crozier, Bruce	McMeekin, Ted	Sergio, Mario
Delaney, Bob	McNeely, Phil	Smith, Monique
Dhillon, Vic	Miller, Norm	Sousa, Charles
Dickson, Joe	Milloy, John	Van Bommel, Maria
Flynn, Kevin Daniel	Mitchell, Carol	Wilkinson, John
Fonseca, Peter	Moridi, Reza	Yakabuski, John
Gerretsen, John	Munro, Julia	Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Bisson, Gilles	Miller, Paul	Tabuns, Peter
DiNovo, Cheri	Prue, Michael	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 57; the nays are 5.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

CONDUCT OF HOUSE PROCEEDINGS

Mr. Gilles Bisson: On a point of order, Mr. Speaker: This morning, as you know, question period did not go forward on the basis of a decision you made, which said that question period would not go ahead provided that the two members who had been named by you stayed in the House. Clearly, you made a decision in order to enforce your ruling in regard to what you decided regarding those two members.

Here we are, we're all the way into motions—you're allowing motions to go forward as things progress in this House—and I've got to assume that we're going to get into orders of the day.

It seems to me that what is happening now is that the opposition is being penalized and the government is being allowed to get its business, and I don't think, quite frankly, that serves the purpose of this House.

The Speaker (Hon. Steve Peters): I thank the honourable member for his point of order. I recognize that my role is to protect the interests of members, and I very much would have liked to have protected the interests of the third party for question period.

I did pose a request to the House leader of the official opposition, stating my hope and my intention that those members would not be present in the House. That was not complied with by the honourable members. When that action was taken by those honourable members, in refusing to comply with the request to remove themselves from the House, I felt it was in my interest that action had to be taken—and it was as a result of the disruption caused by the opposition that that decision was made to allow the clock to run during question period.

Mr. Gilles Bisson: On the same point of order, Mr. Speaker: You did not respond to my point, which is that question period was withheld this morning as a result of what happened because of the members being here, and all of a sudden, here we are, we're going into orders of the day, and the government is going to get what it wants and the opposition has been penalized. You can't rule on the one side and not on the other. I want to understand your logic.

The Speaker (Hon. Steve Peters): I would say in response that, as the honourable member is aware, on past occasions when there have been disruptions, you know what the practice of the Speaker has been during question period: If there is a disruption that comes from the opposition side, I have allowed the clock to run. If there are interjections that come forth from the government side, the clock is stopped.

In the case this morning, because of the disruptions that have been taking place within the House, I made the decision to allow the clock to run through the whole of question period.

Interjection.

The Speaker (Hon. Steve Peters): My decision has been made.

PETITIONS

TAXATION

Mr. John O'Toole: It's with some reflection that I rise to read a petition from my riding of Durham, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Premier McGuinty is increasing taxes in Ontario yet again with the proposed new 13% combined sales tax, at a time when families and businesses in Ontario can least afford it; and

"Whereas, by 2010, Premier McGuinty's new tax will increase the cost of all goods and services that families

and businesses buy and use every day." Just a few examples will include coffee, magazines, car, gas, home heating oil, electricity, haircuts, dry cleaning, personal grooming, health needs, home renovation, home services, veterinary care, pet care, legal services, the sale and resale of homes and funeral services.

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the health tax, which costs upwards of \$600 to \$900 per individual. And now he," Premier McGuinty, "is raising our taxes again;

"Therefore we, the undersigned petitioners from the riding of Durham, request the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I would like to add: Please have public hearings. Let the people's voices be heard.

ERAMOSA KARST

Mr. Paul Miller: This is a petition to the Legislative Assembly of Ontario.

"We, the people of Ontario, recognize the need to protect the Eramosa Karst and its feeder lands, Ontario's first provincially significant area of natural and scientific interest;

"Whereas approximately 36 hectares of feeder lands east of the Eramosa Karst are at risk of being sold for development. The development of the feeder lands would damage the environmental and scientifically significant features of the Eramosa Karst;

"Whereas the 36 hectares of feeder lands represent a unique and beautiful part of Ontario's landscape, and are an important educational tool for people of all ages;

"Whereas the 36 hectares of feeder lands need to be protected for future generations;

"We, the undersigned, petition the Legislative Assembly of Ontario to protect the 36 hectares of feeder lands surrounding the Eramosa Karst by passing into law the Eramosa Karst Feeder Land Protection Act, 2009."

I agree with this petition and will affix my name to it, and Alana will bring it down.

WATER QUALITY

Mr. Jeff Leal: "To the Legislative Assembly of Ontario:

"Whereas North America (and the world) have become continuously drier; and

"Whereas life does not exist without water; and

"Whereas the most pristine water with necessary minerals lies in aquifers for over 10,000 years; and

"Whereas leaching of toxins can occur;

"We, the undersigned citizens of Ontario, request that aquifer water be preserved only for drinking."

I agree with this petition, will sign it and will give it to Vanessa.

1600

TAXATION

Mr. John Yakabuski: Gosh, I hope that we don't run out of time here. We're running out of time to even table these petitions. It's sad. The government's intransigence is awful.

"To the Legislative Assembly of Ontario:

"Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax ... will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support this petition, affix my name to it and send it down with page Christopher.

MENTAL HEALTH SERVICES

Mr. Bill Mauro: I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas we currently have no psychiatric emergency service at the Thunder Bay Regional Health Sciences Centre in Thunder Bay, Ontario;

"We, the undersigned, petition the Legislative Assembly to support the creation of a psychiatric emergency service in emergency at the Thunder Bay Regional Health Sciences Centre in Thunder Bay, Ontario."

I support this petition and will affix my signature to it.

TAXATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts,

funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I agree with this petition, I will affix my name to it and I will give it to page Valerie.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly. I would like very much to thank the brothers and sisters at the Islamic Society of North America, and particularly Arshad Shaikh of Brampton, for having collected the signatures. It reads as follows.

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and support this petition and to ask page Alana to carry it for me.

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as: coffee, newspapers and magazines; gas at the pumps; home heating oil and

electricity; postage stamps; haircuts; dry cleaning; home renovations; veterinary care; and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

I have affixed my signature, as I am in agreement.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have a petition from the people of Val Caron and Hanmer, in my riding of Nickel Belt, and it goes as follows:

"Whereas the Ontario government is making ... PET scanning a publicly insured health service...; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the table with page Iman.

PUBLIC TRANSIT

Mr. Mike Colle: "To the Legislative Assembly of Ontario:

"Whereas too many innocent people are being victimized by acts of violence while using public transit; and

"Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

"Whereas we need to send a strong message of zero tolerance for violence on public transit; and

"Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

"Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

"We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support MPP Mike Colle's private member's bill to crack down on violence on public transit."

I support this petition and affix my name to it.

TAXATION

Mr. Ted Arnott: I was sent this petition by constituents who live in the riding of Perth-Wellington, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in a brand new tax on income that they inaccurately claimed was going to 'health care'; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it;

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as: coffee, newspapers and magazines; gas at the pumps; home heating oil and electricity; postage stamps; haircuts; dry cleaning; home renovations; veterinary care; and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

I support this petition as well.

SOCIAL SERVICES FUNDING

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly. I'd like to thank the many parents from ErinoakKids for signing this, and particularly Cyrena Fernandez of Strata Court in Erin Mills. It reads as follows:

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers...; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

I am pleased to sign and support this petition, and to ask page Simon to carry it for me.

1610

TAXATION

Mr. Norm Miller: I have more petitions with regard to the McGuinty sales tax. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% sales tax will be applied to products and services not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should eliminate the new sales tax."

I'm pleased to support this and give it to Christopher.

HISPANIC COMMUNITY

Mr. Mike Colle: I have another petition. It's in support of proclaiming April as Hispanic Heritage Month.

"Whereas Canadians of Hispanic" heritage "have made outstanding contributions" to building this province;

"Whereas the Hispanic population is among the fastest-growing ... in Ontario;

"Whereas the Hispanic population in Ontario represents 23 countries...;

"Whereas Hispanic Heritage Month would give Ontarians the opportunity to participate in various cultural and educational activities that would strengthen our diversity;

"Whereas the proclamation of April as Hispanic Heritage Month in Ontario is an opportunity to recognize and learn about the contributions Canadians of Hispanic heritage have made to Canada and to the world in music, art, literature, films, economics, science and medicine;

"We, the undersigned, call upon the Legislative Assembly of Ontario to support proclaiming April of each year as Hispanic Heritage Month in Ontario."

I support this petition and affix my name to it.

ORDERS OF THE DAY

TIME ALLOCATION

Hon. John Gerretsen: I move that, pursuant to standing order 47 and notwithstanding any other standing

order or special order of the House relating to Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches, when Bill 185 is next called as a government order, 45 minutes shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That the vote on third reading may be deferred pursuant to standing order 28(h); and

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Speaker (Hon. Steve Peters): Debate?

Hon. John Gerretsen: I'm pleased to rise today to lead off debate on a time allocation motion for third reading of Bill 185, our government's proposed environmental protection amendment act on greenhouse gas emissions trading. I would like to begin my remarks by discussing the reasons why we are introducing this motion.

From the beginning, Ontario has been committed to real leadership in tackling climate change. Leadership demands that we keep up the pace we've set and build on the steps we've already taken. This is no time to falter and take a wait-and-see attitude or lag behind other jurisdictions.

I'm proud to say that we've been building momentum on this crucial environmental situation since 2007, when Premier McGuinty first introduced our climate change action plan. Our progress is real and measurable. We are on track as we move toward achieving our greenhouse gas reduction targets.

We've been first in Ontario on many fronts. We are the first jurisdiction to regulate a phase-out of coal, one of the boldest climate change initiatives of any place in the world. I can tell you that anywhere I speak, people are always impressed by the fact that we are going to phase out coal-fired energy in this province and we're on the way to doing that.

We also introduced the Green Energy and Green Economy Act, which was described by Al Gore recently—last week, as a matter of fact—as the single best green energy program on the North American continent. Let me say that once again: It is regarded as the single best green energy program in North America. He also mentioned specifically Premier McGuinty's leadership on the whole climate change initiative.

We have made historic investments in transit, as you well know: a commitment of over \$10 billion for over 52 projects in the GTA alone.

Our 1.8-million-acre greenbelt has received international recognition and accolades. We are protecting vast amounts of our boreal forests, particularly in the north; and we are supporting the important research and development of innovative technologies that will be the foundation of a new green economy.

Over the past year, we've been working with like-minded jurisdictions on developing a cap-and-trade approach that would work for Ontario, provide a fair and level playing field for Ontario's industries and allow us to link with the other emerging North American trading systems. Getting the timing right on cap-and-trade is absolutely urgent. We need a fair and effective system that is harmonized with other emerging systems; one that allows Ontario control over its own destiny and future prosperity; one that stays in step with broader North American initiatives.

Bill 185, therefore, if passed on the timetable that we are proposing in the motion, would allow us to move forward with consultations in the spring of 2010 on a detailed design for cap and trade, including regulations.

It is absolutely imperative that we reduce our greenhouse gas emissions. That's what the discussions and the meetings in Copenhagen next month are going to be all about. We in Ontario have been doing our job, and we will continue to be leaders in that regard.

These, then, are vital pieces of a plan that would allow Ontario to be a significant player in an emerging North American cap and trade system for greenhouse gas emissions. Being a leading jurisdiction on the ground early on with cap-and-trade, as was shown in this bill, will help inform the rules and ensure that Ontario is in a stronger position to protect our interests, our jobs, as well as the affected industries.

You may be interested in knowing that, as of 2007, the amount of greenhouse gas emissions that were emitted here in Ontario was roughly 200 megatonnes: of that, approximately 25% comes from industry, and about 80% of that from the larger industries that would be subject to this cap-and-trade legislation, as well as the electricity industry.

Let me remind the House once again that cap and trade is a key step to meeting the greenhouse gas reduction targets in our climate change action plan, which has always been, ever since we first put it out, a 6% reduction below 1990 levels by 2014 and a 15% reduction by 2020.

To compare that to the federal scheme, you may be interested in knowing that the federal scheme talks about a 20% reduction by 2020 over the 2006 emission levels. That, in effect, only translates to about a 3% reduction over the Kyoto 1990 base year rates. So the federal government is proposing a 3% reduction based on Kyoto; we in Ontario have always said we want to propose at least, and be able to reduce our emissions by, 15%.

These targets are tough, no doubt, but they are achievable. When they were announced, as a matter of fact, they were assessed by the World Wildlife Fund of Canada as "a welcome and important signal that tangible action on global warming must start in earnest."

Developing an effective and equitable cap-and-trade system is a critical piece of our strategy to meet our targets, while at the same time strengthening our economy and establishing Ontario as a competitive player in the lower-carbon world that undoubtedly will come and we want to be leaders in. But in order to do that, we have

to act decisively now, to be ready for a broader system and to do our part in Ontario to address the difficult and complex challenges of climate change.

We want future generations to thrive because of the measures that we took and not suffer because we failed to act. I always say that what we're talking about here will not affect us in the next five, 10, 20 years, but it's certainly going to affect future generations if we don't do anything.

Our government has taken a leadership role on the environment, and tackling climate change is our most critical environmental policy. It's also our most critical economic policy. We introduced our climate change action plan back in 2007 when many governments were still in the denial phase. We saw the urgency of this challenge at that time, and we took action.

Ours is a wide-ranging approach that recognizes that tackling climate change does not depend on one single action but instead demands a multi-faceted, collaborative approach that, to be successful, must be sustained on many different levels.

1620

We've taken significant steps to achieve real greenhouse gas reductions that will protect and improve the environment. Ours is a comprehensive plan founded on a commitment to leading with strong, decisive measures. We are showing real leadership by being the first jurisdiction to regulate the phasing-out of coal-fired energy generation, as I mentioned before. In effect, that action alone will reduce emissions by up to 30 megatonnes—the greatest single reduction of greenhouse gases in Canada.

We are on track to phase out the province's coal-fired energy plants by 2014. As a matter of fact, by 2010—next year—four additional units will be phased out. We've already made significant progress on this front. Between 2003 and 2007, Ontario reduced emissions from its coal-fired energy generating stations from 35 megatonnes to 28 megatonnes. We're on the way to make it happen—

Interjections.

Hon. John Gerretsen: —and I know the Conservatives don't like to hear this, but they know it has to happen for the benefit of future generations.

In 2008, coal-fired generation was down 27% compared to 2003. That's significant progress, and I realize full well that some of the reductions were as a result of the lower economic activity. We simply need to keep building on this positive forward momentum.

Our Green Energy and Green Economy Act is another milestone—an absolute first. It will expand Ontario's use of clean and renewable energy, whether it's wind power, solar power, hydro, biomass or biogas, and promote a culture of conservation in our industries, our businesses and our homes. Doesn't it make sense to take those natural powers that are out there, whether it's wind, solar, biomass or biogas, and utilize them rather than keep endlessly burning fossil fuels that will increase the carbon dioxide that's in the air?

Our forward-thinking Green Energy and Green Economy Act is another key pillar in our climate change action plan and will help our province bring it into a 21st-century infrastructure through smart power grids to support the development of renewable energy projects. The act includes a comprehensive feed-in tariff program, or, as it's commonly known, the FIT program, for renewable energy projects, which offers guaranteed long-term and attractive prices to developers of renewable power projects and will help get clean, green energy projects online more quickly.

There's also the MicroFIT program, which people around this province are taking advantage of on a daily basis by putting up small wind turbines and solar panels on their roofs all over this province. As a matter of fact, there's nothing that dictates what's happening in that regard more than the fact that people themselves want to be involved on an ongoing basis. The returns on those projects are very lucrative for those individuals that are taking those progressive actions as well.

More renewable energy projects in Ontario will simply mean more jobs and economic development for Ontario communities. As a matter of fact, at St. Lawrence College in Kingston, just this past Friday I was at an opening of a wind turbine technician program which will see about 40 wind turbine technicians being trained on an annual basis to make sure that those wind turbines that are out there in the province of Ontario and will grow over the next number of years will be properly maintained. These are the kinds of jobs that we need in our new green economy.

We are making landmark investments in clean energy and transit that will boost our competitiveness and create jobs, and we are supporting the research and development of green technologies that are also an integral part of preparing Ontario for a lower-carbon future. Our action plan does not overlook the fact that climate change is already here and impacting people and the environment.

We've all seen the changing climate patterns. One of the most moving things that I saw a couple of months ago was when the president of the Maldives, which is a small island nation in the Indian Ocean, was pleading with the rest of the world to start doing something about greenhouse gas emissions so that the polar caps would not continue to melt, so that sea levels wouldn't rise and so that two of the islands would not in effect have to be evacuated within the next 10 years because of rising sea levels, that that would not be necessary. Those people are seeing on a daily basis what kind of effects the lack of dealing with the climate change agenda can have on them. We haven't perhaps seen that quite as dramatically here in Ontario, but we will be seeing that if we don't take the kinds of actions that are contained within the bill that's before us today.

While we need to do everything we can to mitigate climate change, we must also begin to adapt to the future and current impacts. We have appointed, as you may know, Ontario's expert panel on climate change adaptation to help us plan and prepare for the impacts of

climate change in the coming years. That expert panel is headed up by Dr. David Pearson, who, as a matter of fact, was one of the Nobel Prize winners with the IPCC a couple of years ago on the kind of work that they've done with respect to climate change: true experts in every field. That panel has recently delivered its report, and we are carefully considering the advice that we have received, because it's going to impact all ministries. It's going to impact our way of life, the way in which we do business and the way in which we renew and build new infrastructure in our province.

As well, Dr. Ian Burton, the panel's other co-chair, will be accompanying me when I travel to COP15, the international climate change conference beginning in Copenhagen in just over a week's time.

We are already actively engaged in several adaptation actions, such as developing a climate change adaptation strategy for Lake Simcoe and its watershed. We are also working to protect at least 225,000 square kilometres of Ontario's boreal forest region, an area that absorbs approximately 12.5 million tonnes of carbon each year. We want to make sure that is protected so that the forest can continue to do the very positive work in getting carbon dioxide out of our atmosphere. This is also a very important adaptation measure to increase the resilience of our forest ecosystems.

These are just a few of the many ways we are working to help protect our environment, our ecosystems and our economy from the impacts of climate change.

We will very soon be releasing the second annual report on our climate change action plan. It will show where we are on the journey to meeting our plan's ambitious greenhouse gas reduction target, and that's really what all of this is about: methods by which we can reduce those greenhouse gases that are providing us with the largest worldwide environmental challenge of our times.

Developing a cap-and-trade system is a key building block in the foundation we're creating to make Ontario cleaner, greener and more prosperous in the future. That's why passing this important enabling legislation is an essential step in meeting our action plan's greenhouse gas reduction targets. We staked out our ground early by establishing our targets relative to the 1990 baseline, which is the accepted international baseline, and we would only wish that the federal government would accept that baseline as well. That's the Kyoto principle that was signed on to by this country back in 1997, and it's unfortunate that we've created an awful lot of confusion out there by us in Ontario using the accepted Kyoto baseline whereas, unfortunately, the federal government keeps referring to a 2006 baseline.

Coming out of the previous UN climate change conference in Bali in 2007, we were faced, quite frankly, with the absence of strong leadership from the federal governments both here and in the US. That's why sub-national governments, like here in Ontario and Quebec and states like California, have recognized the urgency of climate change and the need for real action. As a result,

for more than a year and a half now, we have been working with like-minded jurisdictions to develop such a cap-and-trade system.

Last year, we signed a memorandum of understanding with Quebec to collaborate on a system that is consistent with emerging North American systems. We also joined, together with Quebec, British Columbia and Manitoba, the Western Climate Initiative. As members of this House will recall, the WCI is targeting a regional cap-and-trade system for 2012 and is helping inform the federal governments in both the United States and Canada of the need for a cap-and-trade policy development process.

1630

This is the template, quite frankly, that is being used to shape a broad, linked system that is equitable and transparent for all of those jurisdictions that are going to be involved—a model where the same rules and pricing schemes are applied consistently in every jurisdiction.

We need to be ready for 2012, and passing Bill 185 will help us get where we need to be. It will allow us to implement a cap-and-trade program that would ensure broad access to trading—international trading, cross-boundary trading—of the allowances that will be available. It will establish a level playing field for industry. The one consistent message that we've heard from industry over the last year at numerous meetings that I've had is the fact that they want to make sure the playing field we're establishing for them with respect to greenhouse gas emission reductions—and they all realize that it's coming. They want to make sure that there's a level playing field with jurisdictions across North America. That's what they're building on within the WCI. It will also help protect Ontario from the real risks of potential punitive border measures on Ontario exports to the US if we don't develop a system like this.

Make no mistake about it, cap and trade is coming to Ontario. This first step under the WCI will form the basis for what we hope will eventually be a broad-based trading system nationwide.

President Obama, since his election, has been very clear in his direction, which is very similar to this. We know the Obama administration is determined to regulate greenhouse gas emissions and has indicated that it will do so through their clean air act, in the absence of new federal legislation.

Also, the proposed Waxman-Markey and Kerry-Boxer bills, both in the House of Representatives and the Senate, will cover approximately 85% of the economy. Those bills will include not only industry and electricity but also fuels.

While the federal government has indicated that it wants to align with the US and is waiting for final US legislation, we are actively engaging our US counterparts at the subnational level, through the WCI, to inform the development of a consistent approach across North America.

We're simply not going to wait for others to come late to the game and then set the rules for us. We want to be part of setting those rules for a North American system.

We need to be able to successfully compete in the global green economy. No doubt, we need to protect Ontario's interests, Ontario's industries, as well as Ontario's jobs, and to do that we must be at the table when this emerging cap-and-trade system rolls out in North America.

I remind the House that we recently released a draft reporting regulation, a vital step toward the implementation of a cap-and-trade system, and that reporting regulation is on the EBR. The draft reporting regulation would require Ontario facilities that emit 25 kilotonnes of greenhouse gases to report their emissions each year. That would probably mean somewhere between 200 to 250 different industries, different organizations, that emit more than 25 kilotonnes per year would be reporting to us.

The proposed requirements are closely aligned with new US reporting rules. An effective and useful cap-and-trade system must exist within a harmonized and broader North American context. Ontario's system needs to be sufficiently broad and flexible to ensure that we're able to respond to fast-moving developments both here and in the US, maximize our ability to link with a broader North American system, and protect against potential border measures on Ontario exports if we don't do so.

Bill 185, the bill that we're discussing here today, will provide the foundation to implement such a system. We received valuable input based on our extensive consultations on Bill 185 that have gone on for over a year, and it is strongly reflected in the proposed legislation. We have been consulting broadly with like-minded jurisdictions, our stakeholders, the industries that will be affected by the system, environmental groups and other partners to ensure that Bill 185 will allow us to implement a cap-and-trade system that gets the fundamentals right. There is widespread agreement on many elements, like alignment with the US, preventing duplication of requirements, and providing certainty and clarity for industry. These are the key elements to our approach.

I should indicate right now that in the federal system that currently operates in Canada, those facilities that emit more than 100 kilotonnes per year have to report. We want to bring that down to 25, because that's what the requirements are going to be initially under the WCI that later on will be reduced to those facilities that are emitting 10 kilotonnes or more.

We have also received valuable feedback through the Environmental Registry in response to our discussion paper, *Moving Forward: A Greenhouse Gas Cap-and-Trade System for Ontario*. In addition, we heard many constructive comments from the standing committee hearings that were held last week and the week before. I would like to take a moment to thank everyone who responded for their contributions, including our colleagues from all sides of the House; my parliamentary assistant, Helena Jacek; and particularly the members of both the government side and the opposition side; and the critics in this particular area, Mr. Tabuns and Mr. Barrett, who were quite—not supportive, perhaps, in all respects,

but whose inputs were very much needed and welcomed as well.

The collaborative nature of this approach is not coming to an end. As we move forward, we will maintain an ongoing dialogue with all interested and affected parties. We are committed to keeping this process open and transparent, and we will continue to seek input over the winter months on what that cap-and-trade system design will look like.

A significant amount of the feedback we have received to date involves the revenues that would be generated from such a cap-and-trade system. We heard loudly and clearly that there is strong support for using the auction revenues from cap and trade to support greenhouse gas reductions in the sector covered under those systems.

I would like to read a quote from the Cement Association of Canada. As a matter of fact, they were here yesterday on their annual lobby day. They sent in an EBR submission in response to our discussion paper, and this is what they said: "Ontario cement manufacturers believe strongly that any revenues arising from the auction or otherwise distribution of allowances must be recycled into the development and deployment of new technologies capable of further reducing greenhouse gas emission within the sectors covered by the cap-and-trade system."

Now, people may be somewhat confused by what an allowance actually is. Allowances are those units of emissions that, in effect, are not required by a certain industry once caps have been placed. They will be allowed to sell that to other industries that need that extra allowance in order to operate their businesses. As the caps come down, obviously the amount of greenhouse gas emissions will come down as well over time, but that's one way in which businesses that have new modern technology, that do not have to use all the allowances that are allocated to them, can take advantage of those allowances, those emissions levels, that they don't need and sell them to other organizations that perhaps are not as technologically advanced as they are. That's what allowances really are all about.

Industries would need to develop infrastructure, transformative technologies and other programs that would help them reduce their emissions and transition successfully into the new green economy. The passage of this bill and the regulations that will follow that will allow this to happen. And once Ontario's cap-and-trade program is up and running, auction revenues would be distributed in a fair and transparent manner.

We are also looking at providing support to capped industries through a greenhouse gas reduction account to be set up by using revenues generated through cap and trade and the auctioning of credits. Of course, at what level you start auctioning these credits and allowances is still something that remains to be seen, and obviously, they're going to be very much influenced by what happens to other like-minded jurisdictions as well in that regard.

1640

Revenues from the auctioning of allowances would be used to defray the costs of the program and to support greenhouse gas reductions within sectors covered under the cap-and-trade system through initiatives such as research, development and deployment of lower greenhouse gas emitting technologies, as well as programs, infrastructure and equipment.

We should never, ever lose sight of the ultimate goal, which is to reduce greenhouse gas emissions. That's what it's all about. We simply cannot go on in the future the way we have. This would help sectors covered by the cap-and-trade system reduce greenhouse gas emissions at a lower cost, while maintaining competitiveness with our trading partners. So the allowances, the auctioning revenue, will be used within this entire system. The resulting innovations would mean reduced greenhouse gas emissions and the creation of new jobs, and help boost our global economy.

If passed, this bill will allow us the flexibility to identify additional greenhouse gases. It would mean that we could adapt to new cap-and-trade developments that may occur in the US and other jurisdictions over time. This flexibility would also help us protect Ontario industries from carbon-related border measures.

Now, I fully appreciate that there's widespread interest in exactly how a cap-and-trade system will work for Ontario. If this bill is passed, it in effect would allow us to write the detailed regulations required for the design and implementation of such a system so that it can be linked to other systems that would protect Ontario's interests and help us further along the green path we are taking. Working with like-minded jurisdictions, we will continue to lay the groundwork for a fair and effective approach that is both economically and environmentally sound.

Ontarians know that climate change presents a critical challenge to our health, our well-being and our future. All one has to do is look at the media reports on a daily basis as a lead-up to Copenhagen, as to how crucial these issues are and how much agreement and disagreement there is as to how exactly to effect this system on a worldwide basis. We in Ontario want to be among the leaders, if not the leader, within North America. We want to be part of the system right from the ground level on up.

Ontarians expect that their government take real and substantial actions in response to this challenge. When I and others travel to the climate change summit in Copenhagen in December, I'll be sharing the measures that Ontario has already been taking to fight climate change, including our plans for a cap-and-trade system.

We are committed to speaking up for Ontario at COP15. Given the current lack of progress on the federal front, it is more important than ever that we continue to move forward with purpose and real concrete action. Our efforts through the Green Economy and Green Energy Act, our investments in transit and green technologies, and our work to implement a cap-and-trade system are

going to open up new avenues for growth through investment, innovation and new green jobs. We are serious about fighting climate change while building a stronger and greener economy for the province. I think we can all be proud of the progress we've already made in the province of Ontario and the leadership that Ontario has already played in that regard.

In the last few minutes I have, I just want to refer once again to the chart I referred to earlier as to the actual makeup of our greenhouse gas emission situation in Ontario, because there seems to be quite a bit of confusion about it among the general public. You may be interested in knowing that the transportation industry—by that I mean, freight transportation, automobiles, airplanes, truck transportation, obviously, and train transportation—accounts for almost a third of all the greenhouse gases that are emitted in Ontario; it's about 31%, actually. As I mentioned before, industry is about 25%, so it's roughly 50 megatonnes that are being produced in Ontario. About 80% of that is being produced by the 200 to 230 industries that I talked about earlier, which we want to start reporting to the province of Ontario as to what their emission levels are starting on January 1 of next year. There are some statistics available through Statistics Canada which are, at best, best guesses as to what is being emitted, but there isn't any really hard-core evidence as to what is actually being emitted by these different industries. So the first thing we want to do next year is to get a much better handle on what is actually being emitted by those industries that emit more than 25 kilotonnes per year.

The building environment—the buildings that we're in here, our homes, our institutions etc.—produces about 17% of the greenhouse gas emissions in this province, which worked out to almost 34 megatonnes in 2007. Now, you may recall that we made some significant changes as a province within the last three or four years, building in, quite frankly, the most energy-efficient standards in new builds and in renovations for any buildings being constructed starting, I believe, on January 1, 2011. There are already many builders, particularly builders of residential homes, that are already advertising the fact that they are building to the highest possible LEED standards. LEED basically is a very energy-efficient and environmentally conscious system of building.

The kind of thing, quite frankly, that 20 years ago wasn't even thought about is now becoming the standard for people who are buying new homes today. Of course, the big advantage is that the more energy-efficient your home is, the less you spend on a day-to-day or a year-to-year basis for your energy costs, so usually the extra amount that you may have to put into a home right now more than pays for itself in the long run.

Electricity itself produces about 17% of our greenhouse gas emissions, and most of that is through coal-fired energy. The one advantage of nuclear energy—and about half of the energy that's being produced in Ontario is from nuclear—is that there are no greenhouse gas emissions from nuclear.

Interjections.

Hon. John Gerretsen: There may be other arguments as to why you're for or against nuclear, but the reality is that 50% of the electricity that's being produced in the province of Ontario does not have a greenhouse gas component to it. But 20% of it is through coal-fired energy, and that's exactly what we want to phase out. Pretty well all of the 17% that is produced by the electricity sector comes from coal-fired energy, which is something like 30 megatonnes per year, as I mentioned before.

The balance, of course, is through renewable. As you know, we have lots of renewable being built right now, but the reality is that of the total amount of electricity that's being produced in Ontario, renewable—between all of the wind farms, solar farms, biomass and biogas, methane flaring from landfill sites that may be produced into electricity in some cases, or is starting—is still only about 1%. So if we're going to meet that coal-fired energy phase-out by 2014, we really have to get much more actively involved in the whole renewable energy field. That's exactly why the Green Energy and Green Economy Act was passed: in order to bring projects on-stream a lot quicker.

Agriculture produces about 6% of our greenhouse gas emissions—roughly 11 tonnes—and waste, basically landfill sites, produces another 4%, which is eight megatonnes. Of course, we have also put regulations in place to allow a lot of the methane that's contained in our landfill sites—which, by the way, is about 20 times more harmful than carbon dioxide, believe it or not; the methane that's in our landfill sites adds 20 times more carbon dioxide into our atmosphere than anything else, so that's why it's so important to flare off our landfill sites. We put regulations into effect, but what's even more important is to take the energy that's contained in those landfill sites and turn that into electricity, and that's what's happening.

1650

So you can see that we've got a long way to go. We've already taken some very dramatic steps over the last four to five years to make it happen, but we need the kind of legislation that we have here in order to set up a system of cap and trade, which is all about reducing our greenhouse gas emissions in an organized fashion, in a fair fashion to our industries, so that our industries will be able to continue to compete with the rest of North American industries. That's why we need this bill to be passed as soon as possible.

I know the government is not in favour, normally, of passing time allocation motions. We are a democratic government; we want to make sure that people have a right to their say. But we also realize that there comes a time when we simply have to act and we simply have to get going. If we're going to implement this kind of a system, which has had lots of public debate over the last year and a multitude of consultations with all of the sectors that are involved—I can tell you, I've had at least a dozen meetings over the last year or so with stake-

holders of all kinds that have some direct interest in this, environmental, the companies that are involved. Last December and November, on successive nights, I met with all sorts of different industries to hear their points of view.

What they were saying consistently was, "Make sure that whatever system you implement is fair to us and can be linked to systems that will also be operating in North America."

That's why we joined the WCI, so we could have a stake in developing that system and so we could ensure, particularly in the larger provinces in Canada—British Columbia, Quebec, and ourselves, as well as Manitoba, which is also part of the WCI—that we could have a stake in developing the ultimate system that will be operating in North America.

It's good to see that the federal governments in both the US and, to a limited extent, in Canada are now thinking along those same lines. We want to be right there at the forefront so that the kind of system we implement will not only be good for industry, will not only be good for the economy, but will be especially good for future generations.

We owe it to them to reduce those greenhouse gas emissions that we're all subjected to, that have dramatically risen in the last 50 years. We owe to it future generations to do the right thing today to reduce our greenhouse gas emissions. This bill and regulations will do that.

So I implore members on all sides of the House, whatever your normal differences are: Support this bill because it's good for all of us and for the future generations to come.

The Acting Speaker (Mrs. Julia Munro): Thank you. Point of order?

Mr. Jim Wilson: I'd just like to introduce, in the west gallery, a good friend of this Legislature and an expert on WSIB, Mr. Les Liversidge. We can't see him because he's got a broken foot.

The Acting Speaker (Mrs. Julia Munro): Thank you. Further debate?

Mr. Toby Barrett: I appreciate the opportunity to address this government initiative, basically not much more than a made-for-TV initiative with respect to climate change.

Committee deliberations have wrapped up, with virtually no changes to the legislation, and I think that's predictable with this particular government. That's too bad, because there are a number of flaws in this legislation. I feel the minister has gotten in over his head on this one.

What we see here is basically a local approach to a global issue. Just to set the table a bit, we heard mention of Copenhagen, and we know that global leaders will be putting this issue where it belongs during the big meeting in Copenhagen. They're going to set the stage for global answers to what is a global issue.

In all due fairness, the minister made mention of a Lake Simcoe climate change initiative; I don't think

that's going to get the attention of anybody in China. It may be all well and good, but I don't know to what extent that will have any impact on the global concentration of carbon dioxide.

So from December 7 of this year through to December 18, environment ministers and national leaders will meet for the UN climate conference. The primary goal is to thrash out a successor to Kyoto. I understand there are about 192 countries that have signed on to the climate change convention. I don't know whether the Lake Simcoe contingent will be there and will be voting, but so far they've identified about 15,000 officials, advisers, diplomats, protesters, of course, and journalists.

Those among the attendees—well, we've heard President Obama has agreed to attend, as well as China's Premier Wen Jiabao. Closer to home, federal Environment Minister Jim Prentice has booked tickets and, more recently, Stephen Harper will be making his presence known.

We have what's been described here as a comprehensive approach to tackling climate change, even though it's a local approach. We've just heard that Minister Gerretsen will be hopping into his hybrid to share the Lake Simcoe approach, the provincial approach to what is truly a global issue.

Perhaps Mr. McGuinty has reserved a seat; this is unknown. Now, when I say "Mr. McGuinty," I'm not referring to the Premier, I'm referring to his brother David. MP David has quite a different perspective on answers to climate change. While to David McGuinty, like his brother Dalton, no tax is a bad tax, there are some differences when it comes to plans for emissions. David, it seems, has long been a champion of a carbon tax. His brother Dalton has rejected this idea in favour of the well-known cap-and-trade approach that we're debating today. In fact, in February, Dalton vetoed the idea of a carbon tax. I don't mean to add fuel to any family disagreements around the Christmas table, but you see within that family that somebody's playing politics. Quite frankly, playing politics seems to be stock in trade or, should I say, cap and trade with respect to the fellows I see opposite.

So, back to Copenhagen: Will Dalton be there? Will David be there? That's the question in my mind this afternoon. Will they have a say with respect to the Harper, the Prentice plan? I'll just quote from federal Environment Minister Prentice. This relates to targets.

By the way, has anyone found any targets in this legislation?

Mr. Jim Wilson: No.

Mr. Toby Barrett: It's only one and a half pages long. Contrast that to the House of Representatives' bill we just heard of; it sets targets. Take a look at the Senate bill; it sets targets. Take a look at the replacement to the Senate bill; it sets targets. You had at least a page and a half in this bill to at least give us some targets. In contrast, our national leaders have come up with a 2020 target. It's not an intensity target. It's a target to reduce absolute emissions to 20% below 2006 levels; that's by

2020. In contrast to a targetless bill presented opposite, this target is realistic. It's ambitious. When we consider Canada's growing population and our energy-intensive industrial sector, it is similar to those of our key trading partners, including the United States.

That's coming from our federal government, a government that represents the Dominion of Canada, where 87% of our economy is based on fossil fuels. That's a reality. Come down to US Steel at Lake Erie; come down to Nanticoke. I asked the guys questions down there: "Is it possible to run a steel mill with windmills? Can you run a steel mill that size with solar panels?" Harper realizes this; the Dominion of Canada realizes this. We are based on fossil fuels. I know we focused on Lake Simcoe even in this legislation, as we've just heard, but you've got to get beyond this provincial approach. You have to think globally.

Just to go on, the federal approach includes absolute caps on all sources of major industrial emissions. Prentice indicates he's been working with provincial and territorial governments to develop this system. I hear no mention of this. There must be secret meetings going on with somebody on this side of the House and the federal government. No mention—nothing in the paper. I do recognize that the minister crowed about having 12 meetings in the past year, so I give him credit for that—12 meetings with 12 companies, I assume.

I'm very concerned that there seems to be very little direction as far as harmonization with either Obama or Stephen Harper. We'd like to know what was discussed. I don't know whether the provincial minister understood what was being discussed. I really question why we are now talking about what I consider a picayune provincial approach that will have little impact on global emissions when we have to consider far beyond a North American cap-and-trade approach; we have to consider a worldwide approach.

No targets: I just want to repeat that. A page-and-a-half bill: I just want to repeat that as well.

I will mention as well that apparently two thirds of Canadians, it's reported quite recently, feel that with respect to what's described as a defining crisis, people have not heard about this page-and-a-half piece of legislation, the one with no targets. They're going to find out about it down the road when the regulations come in, something that is not being debated in this Legislature. They have not been given any figures on costs. We have received reports with respect to the cost to Canada—more specifically to Alberta. That question is out there: How much is this going to cost?

I'm very disappointed in this legislation. This is a very important issue. There are conflicting views on this issue; we heard this during committee. I recognize this legislation is a sham. It's a local law to deal with a global responsibility. There's really nothing in here. That House of Representatives bill is well over 1,000 pages.

I think we're just play-acting in this House. That's what I see across the way here. I came in here with a one-hour speech. It has been time-allocated. For that reason alone, I move adjournment of the debate.

The Acting Speaker (Mrs. Julia Munro): Mr. Barrett has moved the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1703 to 1733.

The Acting Speaker (Mr. Ted Arnott): Mr. Barrett has moved the adjournment of the debate. All those who are in favour of the motion will please rise and remain standing until counted by the table.

All those opposed will rise and remain standing while counted by the table staff.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 7; the nays are 45.

The Acting Speaker (Mr. Ted Arnott): I declare the motion lost.

The member for Haldimand-Norfolk still has the floor.

Mr. Toby Barrett: Just to wrap up, we know Alberta is going to be paying \$15 billion to \$24 billion annually for the cap-and-trade proposals coming federally. We know that in the United States it's the equivalent of hiking personal income taxes by 15%. American taxpayers will be paying up to \$200 billion a year.

The question remains before this government: How much will this scheme cost? Has this not been costed out? If we can't get an answer on how much this is going to cost taxpayers in Ontario, why should we support this particular piece of legislation?

The Acting Speaker (Mr. Ted Arnott): Questions and comments? Further debate?

Mr. Peter Tabuns: For clarity's sake, questions and comments?

The Acting Speaker (Mr. Ted Arnott): No. You had the floor. The member for Toronto-Danforth.

Mr. Peter Tabuns: That's very clear.

I will give the Liberals credit for this: They are brilliant marketers. But I have to say that in terms of the issues before us and the questions that face this society, the questions that face the people in Ontario and in this country, they are not presenting a serious move forward. They are not presenting a serious program. They are leaders only in their own estimation. They are followers, in a very, very slow and uninventive way, of what's going on in the rest of the world. In fact, what we face here in Ontario is a vacuum of leadership and a situation in which a profound problem that this society faces is not being taken on, even in the terms that this government believes or says it believes should be taken on.

I've been involved in this issue relating to climate change for almost 20 years. I've had an opportunity to be part of debates at city council here in Toronto. I had an opportunity to be a delegate at the climate negotiations in Bonn in 2001. I had an opportunity to go to the Earth Summit at Johannesburg in 2002. So I have had an opportunity to see these matters debated at a local level and at an international level, and I have to say that the

performance that I've seen in those contexts is not one that most Canadians would want to see.

At the negotiations in Bonn, the Canadian delegation was voted, on a regular basis, fossil of the day for its obstructive approach to actually taking on climate negotiations. At the Earth Summit in Johannesburg, the Canadian delegation was no better. At the end of that summit, Jean Chrétien, then Prime Minister of Canada, appeared and spoke about his commitment to actually ratifying the Kyoto Protocol. And I, for one, did not believe that Jean Chrétien would ratify the Kyoto Protocol because—and this was a mistake on my part—I thought if he ratified it, he would actually implement it, and thus I didn't think he would ratify it. I was wrong. He was quite happy to ratify it and ensure that it was not implemented.

I had an opportunity to actually go through, in some detail, the planning that was done by Stéphane Dion for the Paul Martin climate plan. I talked to those consultants who were doing the background work for Environment Canada at the time. I saw their initial drafts, and I saw ultimately what was produced by Stéphane Dion, a plan that, if implemented, would have gotten Canada no closer than one quarter of the way to the Kyoto targets that Canada had signed on to honour.

I have to say that, having seen that, I see much the same going on before me in this Legislature. We have a government that brought forward a climate plan in 2007, after it had been in power for four years—a plan that was not costed, did not have the backup policies behind it, did not have a clear path forward, did not have the numbers attached that had to be there and didn't have the budget necessary to carry it through. So what we had was an announcement of some targets but not a vehicle to get Ontario to achieve those targets.

The Minister of the Environment talked earlier today about the gravity of the climate situation. I don't think that I need to go on for an extremely long time on this, but I will just say, having watched the climate and the climate reports over the last decade, there's no question in my mind that what we saw in the late 1990s, what we expected in the late 1990s, is very different from what we have. Things have changed much more rapidly; the rate of change is accelerating even now.

1740

If you have recently read articles in the *Globe and Mail* and the *Star* about change in Arctic sea ice, you're well aware that the loss of the Arctic ice cap is going at a rate much faster than most climate scientists would have expected. We're already aware that there's ongoing disruption to the monsoons of south Asia, which is of consequence in terms of feeding billions of people.

We face a situation environmentally in terms of our climate that is very grave—very grave. If there were no other considerations, on its own the condition of our climate would call on us to act with the greatest speed and with the greatest effectiveness to actually change things. But there are other dynamics going on, other areas of policy where, in fact, we should be moving very

quickly because they on their own would also compel action.

In the economic context, Ontario is very late coming to the renewable energy game. Quebec has been ahead of us on wind turbines. A number of years ago, they were the ones who brought in domestic production requirements, so they have wind turbine assembly in that province. Manitoba is far ahead of us on geothermal. That's just to talk about North America.

Clearly, European jurisdictions are way ahead of us, and increasingly, Asian economies are establishing themselves as major players in the renewable energy field and are moving very quickly forward. In the United States just recently, there was a major controversy because a proposed wind farm in Texas was going to be set up primarily with wind turbines manufactured in China. That is not an anomaly; that is not some odd happening. China has invested very heavily in wind, becoming one of the major world players in wind turbine technology. It isn't just because of low labour costs but because they have a conscious national policy of investment and development. Frankly, it's as if, at the beginning of the steam era, England and western Europe decided that they were going to take a pass on this and let other parts of the world actually develop that industrial capacity.

The centre of gravity in world development for new technologies is shifting out of North America, and that's of consequence for us. It's of consequence for us here in Ontario. It's not a surprise, or it shouldn't have been a surprise, that this government was talking with Samsung industries about investment in renewable power in Ontario. Why Samsung? Because Korea has decided to invest very substantially in the development of renewable energy. They have decided that that's where the future is and that they are going to invest tens of billions of dollars over the next five years to ensure that they are a substantial player.

I would ask in this House, which Canadian industrial player is actually invested in renewable energy at that level? I'm not aware of one. In the United States, only General Electric is a real player in wind energy. The whole centre of economic development has been moving into Asia, and we are again laggards, very, very late coming to this.

The Minister of the Environment cited the Green Energy Act, and it is a useful act, but it is substantially constrained in what it's going to do and what the government is going to let it do, given its commitment to nuclear power and given the fact that it is focused on electricity, and electricity is less than 20% of the energy mix here in Ontario.

If you actually want to build a new economy, one based on renewable power, you have to look at the whole energy mix. That reality of needing to be part of the renewable energy game in this century is one that, again, should drive us very rapidly to substantial change in how we generate energy and where we invest industrially so that we're a player. So the climate and environmental issues alone should be driving us, the economic issues

should be driving us, and then, thirdly, the whole question of availability of fuel in these next few decades is one that should be driving us very rapidly to conversion.

There's a lot of talk about carbon constraint, about the need to reduce emissions of carbon. That's correct. There's another reality, and that is that the availability of carbon-based fuels is changing. Western Canadian natural gas production, on which we depend for our home heating, for much of our industry and increasingly for production of electricity, has been dropping since 2006; it's down 21%. The International Energy Agency sees an overall decline of Canadian natural gas production of a little less than 1% every year between now and 2030. The easily accessible oil and natural gas that we have depended on to fuel the economy of this province is going to be harder and harder to get at.

That is why increasingly in Canada we depend on oil from the tar sands, because that is a resource that's now being newly exploited. Conventional oil is harder and harder to get at. When you look at the major announcements about oil finds and exploration, there is the one in Brazil, very far offshore and technically very difficult to get at. So we're entering into an era when the availability of oil and gas is more and more in question, when its cost will be more volatile, where the political unpredictability of accessing it becomes a larger and larger question. We're entering an era of peak oil and gas production, and whether that's an era that comes to a sharp crisis in the next few years or by 2030 ultimately doesn't change what has to be done.

So we have three very substantial reasons for moving quite quickly to transform our economy, and that brings me to the bill before us. I was a member of this Legislature when the announcement was first made about Ontario being part of the Western Climate Initiative. I was in this Legislature when the Premier announced the agreement with Quebec for a cap-and-trade regime. We were told at the time that it could be in place as early as 2010. When I listened to the Minister of the Environment today, he was talking about consultations in 2010, with implementation in 2012 or further out. That is a very slow rate of implementation. That is not a sense of urgency. If you're going to look at this bill, first of all, you have to talk about: What is the timeline for implementation? That's one element.

The second element: I asked, in the course of these hearings, "What exactly is the target for reductions in greenhouse gas emissions from this bill?" No figure was provided. No figure was provided in numbers for the megatonnes of reduction in the course of debating this bill. If you look at the climate plan that was brought forward by the Liberals in 2007, there's a reference to reductions from the federal cap and trade, and so I have to ask: Is this supplementary to the federal cap and trade? Is this in place of the federal cap and trade? I have to say that that lack of specifics in the bill is of consequence.

In the course of debating the bill, I put forward a number of amendments to make the bill more effective. I moved a resolution based on the recommendations from the Suzuki Foundation and the Pembina Institute that all

of the permits be auctioned so that we weren't repeating the mistakes of the European Union and giving away large numbers of permits; so that we would ensure that the funds that were raised came back to the government of Ontario for distribution; so that we weren't in the situation where we were allowing a number of companies to harvest windfall profits that, for us, would undermine the actual necessity of making that transformation. The bill is weak in that area.

1750

I asked, in the course of debating this bill, that offsets not be part of this bill. An offset is a mechanism that allows a company to essentially buy absolution for sin. It can give money to a body that is creating what is called a greenhouse gas reduction credit without actually reducing the amount of fossil fuels that are burned. I don't think that that works well for us and certainly neither does the Suzuki Foundation or the Pembina Institute, because at the heart of what has to happen is a move away from fossil fuels.

To the extent that the bill allows companies to continue buying low-cost credits for growing trees, for tillage practices, without actually switching away from fossil fuels, we don't address those three large problems that this society faces. When you look at the Waxman-Markey bill, the American cap-and-trade legislation that this government says that it wants to be very close to—that, in fact, it is saying that it is following—in that bill the offsets are so large that there wouldn't actually need to be any reduction in fossil emissions between now and 2020. In fact, the reality of the transformation is pushed back quite dramatically. What that says to me is that those other issues around economic development, around peak oil, around climate are not going to be addressed in the way we need them addressed.

In the course of discussing this in committee, I noted that if you were to buy offsets for a forest that didn't get logged, you would have no way of knowing whether or not the lumber company simply moved over to another patch of forest and logged it instead. There are huge problems with reliability of offsets. In Europe, two major companies that audit offsets have been called on the carpet for offsets that were not, in fact, valid and real. There are very substantial problems with the quality of the offsets.

That is a big problem with this bill. Offsets were not ruled out. In fact, they're clearly part of where the government wants to go, and that means its ability to actually move the agenda to deal with those three big problems is not going to be there the way it has to be there.

This bill will allow the appearance of moving forward without actually making sure that the transformation that we need in this province takes place. For that reason alone, this bill has a substantial flaw. In the course of our debates, the one thing that may be useful out of this, if any money is generated, is a commitment to put money back into industries that are part of the cap-and-trade system to allow them to make the transformation. That is useful.

I tried, during the committee hearings, to move changes that would have allowed some of that money to go to industries to help people make a transition from one industry to the other, because there's a simple reality: There will be some labour dislocation in this. Frankly, if you want to have buy-in from the population as a whole, you have to make it possible for people to move very effortlessly from one industry to another.

I had also moved that there be an allocation of funds to deal with those people whose lives have been disrupted by climate change, as inevitably those lives will be disrupted. We will see more drought. We will see more forest fires. We will see problems with fisheries. In all those areas, funds will have to be available to help people adjust. It's unfortunate that the government didn't see fit to make an allocation of funds for those ends part of this bill.

In the course of discussion, the minister talked about the need to move forward with historic investments in transit, and in this city, the city of Toronto that this Legislature is in right now, the transit system is looking at an increase because, in fact, this government did not restore the funding to transit that was there prior to 1995, prior to 1990, prior to 1984. The failure to properly invest in transit is going to mean higher fares and is going to mean more people not taking transit. It will encourage the use of cars.

If we want to take on climate change, then we have to take on sprawl. The simple reality of this government's greater Golden Horseshoe growth plan, according to a variety of analysts, was that it could not be distinguished from business as usual, so our concern about the growth of greenhouse gases from that sector continues. A cap-and-trade bill will not deal with that very significant problem.

The minister said that industry was responsible for about a quarter of the emissions, and transportation was responsible for about 30%. Transportation, a very significant cost to our climate, is not being addressed through sprawl regulation in the way that it has to be addressed.

The minister has said that in 2007, this government came forward while other governments were in denial. Well, I have to say that it's almost 2010, and when I have

sat through estimates hearings, I have asked ministers of infrastructure what their ministries are doing to deal with climate adaptation, and I do not get from those ministers any clarity or even an understanding of the need to have a plan in place to deal with adaptation.

Now, Speaker, you're looking like you want to raise something. You're not.

Mr. Jeff Leal: He's on the edge of his seat.

Mr. Peter Tabuns: He is on the edge of his seat.

Interjection: Time's up.

Mr. Peter Tabuns: Time's up? No? Thank you, Speaker.

So the reality is that there is not in place a plan to adapt, there are not in place regulations requiring infrastructure investment to reflect the change in our climate that our 50-year investments are going to have to deal with, and that is a substantial problem. I don't buy what the Minister of the Environment says. We are not ready for adaptation, and we are not ready, frankly, to take on the climate problems before us—not with this bill and not with the program of this government.

The minister speaks about the coal phase-out. What's interesting to me is that this government was elected in 2003 with a commitment to phase out coal by 2007. It was very clear within a year or two of that election that it was not making the investments necessary to actually bring about the phase-out. It was not happening.

When the minister talks about the reduction in emissions from coal, he doesn't at the same time talk about the increase in emissions from gas-fired power plants that are being built in very large numbers. There's a plus and a minus. The increased emissions from the gas-fired power plants need to be factored into any calculation showing whether this government is contributing or not contributing. That needs to be corrected. There's—

The Acting Speaker (Mr. Ted Arnott): Thank you very much.

Debate deemed adjourned.

The Acting Speaker (Mr. Ted Arnott): It being 6 of the clock, this House stands in recess until 6:45 p.m.

The House recessed from 1800 to 1845.

Evening meeting reported in volume B.

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Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
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Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
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Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
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Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
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Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
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Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
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**INTRODUCTION OF BILLS /
DÉPÔT DES PROJETS DE LOI**

962 Bloor Street West Limited Act, 2009, Bill Pr29, Mr. Ruprecht	
First reading agreed to	8951

MOTIONS

Private members' public business	
Hon. Monique M. Smith	8951
Motion agreed to	8951
House sittings	
Hon. Monique M. Smith	8951
Motion agreed to	8951
Conduct of House proceedings	
Mr. Gilles Bisson	8951
The Speaker (Hon. Steve Peters)	8952

PETITIONS / PÉTITIONS

Taxation	
Mr. John O'Toole	8952
Eramosa Karst	
Mr. Paul Miller	8952
Water quality	
Mr. Jeff Leal	8952

Taxation	
Mr. John Yakabuski	8953
Mental health services	
Mr. Bill Mauro	8953
Taxation	
Mrs. Joyce Savoline	8953
Hospital funding	
Mr. Bob Delaney	8953
Taxation	
Mrs. Julia Munro	8953
Diagnostic services	
Mme France Gélina	8954
Public transit	
Mr. Mike Colle	8954
Taxation	
Mr. Ted Arnott	8954
Social services funding	
Mr. Bob Delaney	8954
Taxation	
Mr. Norm Miller	8955
Hispanic community	
Mr. Mike Colle	8955

ORDERS OF THE DAY / ORDRE DU JOUR

Time allocation	
Hon. John Gerretsen	8955
Mr. Toby Barrett	8961
Mr. Peter Tabuns	8962
Debate deemed adjourned	8965

CONTENTS / TABLE DES MATIÈRES

Tuesday 1 December 2009 / Mardi 1^{er} décembre 2009

ORDERS OF THE DAY / ORDRE DU JOUR

Time allocation

Hon. Brad Duguid.....	8943
Vote deferred.....	8943

Ontario Labour Mobility Act, 2009, Bill 175, Mr. Milloy / Loi ontarienne de 2009 sur la mobilité de la main-d'oeuvre, projet de loi 175, M. Milloy	
Second reading agreed to	8943

Voting

The Speaker (Hon. Steve Peters).....	8944
Mr. Robert W. Runciman.....	8944
Hon. Monique M. Smith	8944
Mr. Gerry Martiniuk	8944
Ms. Lisa MacLeod	8944

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mrs. Elizabeth Witmer.....	8945
Mr. Peter Tabuns.....	8945
Mrs. Carol Mitchell.....	8945
The Speaker (Hon. Steve Peters).....	8945
Mr. John O'Toole.....	8945
M. Gilles Bisson.....	8945
Mr. Phil McNeely	8945
Mr. Robert Bailey	8945
Mr. Paul Miller.....	8945
Mr. Charles Sousa.....	8945
Mrs. Liz Sandals	8945

Wearing of ribbons

Hon. Monique M. Smith	8945
-----------------------------	------

Visitors / Visiteurs

Mme France Gélinas	8945
--------------------------	------

ORAL QUESTIONS / QUESTIONS ORALES

Use of question period

The Speaker (Hon. Steve Peters).....	8945
Mr. Robert W. Runciman.....	8945
Mr. John Yakabuski	8946

Voting

Mr. Ted Chudleigh.....	8946
The Speaker (Hon. Steve Peters).....	8946
Mr. Robert W. Runciman.....	8946

DEFERRED VOTES / VOTES DIFFÉRÉS

Time allocation

Motion agreed to	8947
------------------------	------

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. John O'Toole.....	8947
-----------------------	------

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Taxation

Mr. Norm Miller.....	8947
----------------------	------

Fundraising

Mr. Yasir Naqvi	8947
-----------------------	------

Taxation

Ms. Lisa MacLeod	8947
------------------------	------

Labour mobility

Mr. Rosario Marchese.....	8948
---------------------------	------

Munsee-Delaware First Nation

Mrs. Maria Van Bommel	8948
-----------------------------	------

World AIDS Day

Mrs. Julia Munro	8948
------------------------	------

Apprenticeship training

Mr. Bill Mauro	8949
----------------------	------

Taxation

Mr. Bas Balkissoon	8949
--------------------------	------

Romania

Mr. Tony Ruprecht.....	8949
------------------------	------

REPORTS BY COMMITTEES / RAPPORTS DES COMITÉS

Standing Committee on Government Agencies

The Speaker (Hon. Steve Peters).....	8949
Report deemed adopted.....	8949

Standing Committee on General Government

Mr. David Oraziatti	8949
Report adopted	8950

Standing Committee on Social Policy

Mr. Shafiq Qaadri.....	8950
Report adopted	8950

Continued on inside back cover



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**Legislative Assembly
of Ontario**

First Session, 39th Parliament

**Assemblée législative
de l'Ontario**

Première session, 39^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 1 December 2009

Mardi 1^{er} décembre 2009



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
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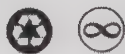
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 1 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 1^{er} décembre 2009

The House recessed from 1800 to 1845.

ORDERS OF THE DAY

TIME ALLOCATION

The Acting Speaker (Ms. Cheri DiNovo): The government House leader has moved motion 166. Further debate?

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Order, please.

Mr. Gerretsen has moved government notice of motion 166. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a 10-minute bell.

Interjection.

The Acting Speaker (Ms. Cheri DiNovo): Pursuant to standing order 28(h), I have a request that the vote on the time allocation motion listed on today's order paper as government notice of motion 166 be deferred.

Vote deferred.

TIME ALLOCATION

Hon. Rick Bartolucci: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act, when Bill 203 is next called as a government order, 45 minutes shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That there shall be no deferral of the third reading vote allowed pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Ms. Cheri DiNovo): Mr. Bartolucci.

Hon. Rick Bartolucci: This is a very important bill. I want to give just a little bit of the history behind the bill because I think that's very relevant to us this evening.

Shortly into our mandate, we were approached by the Police Association of Ontario, the Ontario Association of Chiefs of Police, the Ontario Association of Police Services Boards, along with the Canadian association of police. They asked if in fact we couldn't come up with some legislation that would allow for more flexibility with regard to police officers being able to do their duty not only in Ontario but in Manitoba, Quebec and in other jurisdictions. So we attempted at the time to draft some legislation, and that drafting resulted in this bill. This bill has gone through first reading, it's gone through second reading, and it has received public hearings.

1850

I have to tell you, Madam Speaker, that the co-operation between the three parties on this particular bill has been excellent. There were some amendments that were made by all parties, and they were well debated. There is, I think, a consensus on the part of everyone that this bill move forward. Why? Because it makes good sense.

We know that crime knows no borders. In our ongoing effort to reduce crime and protect Ontarians, we must adopt the necessary measures to make it easier for police to investigate criminals and their illegal activities wherever they happen in Canada. Therefore, we must give police the powers they need to continue their investigations across provincial and territorial borders. The police are the people who put their lives on the line day in and day out to ensure that our province remains safe, secure and prosperous.

The Interprovincial Policing Act, 2009, would, if passed, establish a process whereby an Ontario official appointed by the Minister of Community Safety and Correctional Services could grant a police officer from another Canadian jurisdiction permission to enter Ontario and perform police duties. Similar legislation in other Canadian provinces and territories would grant reciprocal authority to Ontario police officers working outside Ontario.

On September 11 of this year, Quebec's intergovernmental affairs minister and Quebec's minister of public security joined me in signing a declaration committing both our provinces to introducing this type of legislation. Such legislation would allow for reciprocity between our two neighbouring provinces in the matter of cross-border policing.

I'm pleased to inform this House that Quebec's legislation has already been introduced in their House. This

legislation is designed to create a streamlined and efficient system for enabling police to continue their investigations outside their home provinces. It would update a system already in place and provide greater accountability while enhancing the ability of police to pursue investigations across borders. We would also make sure that extra-provincial police officers working in Ontario and Ontario police officers working in other jurisdictions would be held accountable for their actions.

I want to say that during the debate on this bill, which was led by our parliamentary assistant, Dave Levac, the member from Brant—and I have to say that his knowledge of this particular bill is unbelievable. The way he was able to collaborate and to coordinate with the other two parties in this House at committee level was very, very good to see. It was indeed democracy in action. There were some changes to the bill. I think that the bill is stronger because of the committee work. The member from Brant deserves an awful lot of credit, and I want to thank him for that.

The proposed legislation would provide a more seamless approach to law enforcement and will help make Ontario safer. At the end of the day, that's what it's all about. Currently, extra-provincial police officers operating in Ontario must be appointed as special constables by a municipal police services board or the Ontario Provincial Police Commissioner, with the approval of the Minister of Community Safety and Correctional Services. This process can sometimes delay the operations and criminal investigations of our police services.

Let's face it: Here in Ontario, I don't care what partisan political stripe you are; you want your families, your friends and your neighbours to be safe. Safer communities is what we're all about collectively, and this bill does that in a very real way. The special constable system does not automatically allow for the extra-provincial police officers to have all the powers of an Ontario police officer, nor does it address issues of oversight, discipline and civil liability for the extra-provincial police officer. In addition, Ontario police officers do not automatically retain their authority when they cross provincial boundaries.

In recent years, police services have increasingly been faced with investigating criminal activity that extends beyond their provincial borders. For example, major investigations in bank robberies and organized crime, including motorcycle and youth crimes and gangs, often straddle these borders. We have to give the police officers the necessary tools to do their jobs.

Police services in Ontario and other provinces have called for this legislation that would allow provincially appointed police officers to retain their police officer powers when they travel to another police jurisdiction on police business. A working group set up by the Uniform Law Conference of Canada addressed this issue and in 2003 proposed a model statute on cross-border policing for all provinces. Manitoba, Nova Scotia, Saskatchewan and New Brunswick have already adopted this cross-border policing legislation based on that model.

Ontario police services that border Quebec have asked that both Ontario and Quebec implement cross-border policing legislation and allow for seamless policing across provincial borders. The Interprovincial Policing Act, 2009, responds to those needs as expressed by police services.

Our policing partners such as the Police Association of Ontario and the Ontario Association of Chiefs of Police also support this initiative because it provides for a mechanism for their members to deal with the increasing incidence of interprovincial crime. The proposed legislation would allow the Minister of Community Safety and Correctional Services to provide designated officers with the authority to extend the same powers held by Ontario police officers to out-of-province police officers who need to work in Ontario. It would also allow municipal police chiefs and Ontario Provincial Police department commanders to extend these powers for short periods in urgent circumstances. The process we are proposing would be efficient and effective and would be much better than what currently exists.

In summary, what does this bill propose? It proposes, quite simply and quite succinctly, to give police officers those extra powers necessary to cross into Quebec or Manitoba or any other province in Canada, provides them with the tools necessary to complete and do their work adequately, and puts measures on them so that they are accountable. And at the end of the day, it's all about better policing.

I want to say, in conclusion, that I am very, very pleased with the process that took place, led by our parliamentary assistant, Dave Levac. I want to thank all members for their input. This has been a fully debated bill, and I look forward to its passage.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. John O'Toole: Certainly, our side listened to the minister's remarks. I guess the best way to start, in a very harmonious tone, would be to say that it's really unpleasant when we don't have advance notice of what order is going to be called. To keep the tone at a reasonable and respectful level, on many of the pieces of legislation we have voiced our opinions. In fact, this bill here was introduced back in September, and there have been a number of speakers on it. As well, our critic, of course, the member from Simcoe North, Garfield Dunlop, has participated and is well recognized within the community of the stakeholders as being a staunch supporter of trying to move forward with this legislation. Mr. Levac would, I think, echo the same comments.

I think that's all we are trying to say here. In a climate of business as usual, often the House leaders work these things out so that Mr. Dunlop could have been here, in his place. I'm really not the critic on this file, but we've always paid close attention to the bill, whether it's Bill 203 or other bills.

Just a couple of points. The member in his remarks has said that we need a full assessment of who pays for the various transferred services. We have some idea and

understanding of the legitimizing or the role and duty of chiefs and deputy chiefs to legitimize these officers who could be transferred interjurisdictionally. We'd like to see better co-operation between, for instance, just municipal police forces on drugs and gangs and other sorts of task forces that do work collectively and that have manpower concerns.

1900

Often the associations have strong views on how these things are resolved as well, and when you look at special events, whether it's the G8 or the G20 summit proposed for Ontario, we do need extra policing, we need a surge in qualified individuals, and that's where these interjurisdictional orders would certainly come into force. I would think even this year, with the Olympics coming up in 2010, that there would be another perfect case where those interjurisdictional agreements would work.

Now, I would say that Manitoba, Saskatchewan, Nova Scotia and New Brunswick have already, as the minister said, passed legislation. It's my understanding as well that Quebec and Ontario met in September and have work outlined, and they have introduced legislation just recently, I guess, in Quebec.

So these are issues that I think all governments would be working on to resolve the differences between jurisdictions. In fact, we on this side would say there is really one law for all, and those enforcement provisions should be shared across the province.

Now, there's one unusual thing that I've often wondered, and perhaps the minister could respond in his wrap-up speech. How come the Mounties are exempt? I know it's a federal force, and as such the provinces can't—

Hon. Rick Bartolucci: They already have the power.

Mr. John O'Toole: They have the power already? That's good to find out. I, as I said, am not the critic, so I haven't stayed up on this.

But I think really there are other issues at play here tonight. One of them is the degree of co-operation on this and subsequent bills, and I would like to think that if there just happens to be a 30-minute recess here shortly, we would have time to work those out between the ministers on the government side and the lowly opposition members. So with that provision and suggestion, I would move that we adjourn the debate.

The Acting Speaker (Ms. Cheri DiNovo): The member for Durham has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

I believe the nays have it.

Not seeing five members, I declare the motion defeated.

The member from Durham.

Mr. John O'Toole: I am somewhat disappointed that other members here present couldn't maybe dash out and find another willing Conservative to show up here someplace. But in that respect, we're not trying to be obstruc-

tionist in any way. What we are trying to do is bring some voice to the Legislature.

Now, I don't want to digress. I think this is a bill that we could find harmony on, and here is what I suggest that we do: If I tried this again, maybe we could have a recess, and I would have fulfilled my commitment to the House here tonight.

But I would call for public hearings on other bills. One of them would be Bill 218, this new HST. I heard the Minister of Economic Development and Trade downstairs at the Canadian Manufacturers and Exporters alliance. I knew several of the people, having worked in industry for 30 years. There were members from the auto sector, the technology sector, and many of them are quite respected business people. Now, I was appalled. I was standing beside, Madam Speaker, through you, and I'll try to speak as politely—she gave an extremely informative speech, a speech I've heard before in the Legislature, trying to sell Bill 218. Here we have guests in the Legislature at a reception to share, and she was giving them the core speech on 218. Now, it was well delivered, forcefully, and one of the—

The Acting Speaker (Ms. Cheri DiNovo): I would ask the member for Durham to at least occasionally mention the motion on the floor.

Mr. John O'Toole: Mr. Howcroft, who is the administrator for the association—the minister said it quite forcefully, I should say, and he said, "If we could just get her to be a little bit more subdued"—

Hon. Sandra Pupatello: Not to that crowd.

The Acting Speaker (Ms. Cheri DiNovo): Minister of Economic Development and Trade, come to order.

Mr. John O'Toole: —and I said, "If you could just get her back in her shell, it would be fine."

But anyway, I think it's an interesting opportunity. Every time we work with stakeholders, we should be listening more than talking. That's very important.

In my respect, if there was another member in the back, if there were five, I would probably suggest we would try to get another bell, but I can't even get—is anybody watching? If there is anybody watching this channel, wave back to me.

Interjections.

Mr. John O'Toole: Does this mean anything?

Hon. Rick Bartolucci: This is a pretty important bill.

Mr. John O'Toole: Oh, I'm not—Rick, the minister, is here, and, with respect, our position here is very clear. And the member for Simcoe North would like to have been courteously informed so that he could have said some of the complimentary things that Minister Bartolucci said.

Now, in fairness, I see the former minister, Minister Kwinter, here as well, and I would like to show respect for the time and years that he spent under the Ministry of Community Safety and as the Solicitor General. He's done a great job. This was probably started under your leadership—probably. I know how things work here, in some respects, and that probably would not have happened.

Interjection.

The Acting Speaker (Ms. Cheri DiNovo): Minister of Economic Development and Trade, if you continue, I will have to name you.

Mr. John O'Toole: There are a lot of people here that are really trying to make it difficult for me to make the points that I'm making—

Mr. John Yakabuski: I have a couple of names for her.

Mr. John O'Toole: —and I'm basically pleading with the people of Ontario.

This bill is a respectable way of encouraging inter-jurisdictional cooperation in the police forces, not just of Ontario and Quebec but all of Canada, and we would say that we would be supportive of that.

There remain questions, as there are with all legislation, of cost recovery and those kind of agreements—I understand that; and with the associations, that they've been fully consulted and satisfied, that there's no seniority provisions or overtime lost and those kinds of workplace difficulties.

I would say that it looks as though a lot of our members are making their way to the Legislature. They're out fighting the fight on Bill 218.

But in all fairness to the minister, her speech tonight to the manufacturers—after the speech, people were saying, "What is this HST?" Here are the leaders of industry who are shocked and amazed because the communications strategy is very tightly crafted. It's been very tightly crafted so that no one really has had a chance to sit and cogitate or think or reflect on this bill.

Interjection.

Mr. John O'Toole: Well, get your thesaurus out. Make it interesting here.

The point that I'm making here is that what we're trying to do is engage the people of Ontario on the most important fundamental change in tax policy in Ontario's history. One can argue on both sides of this case quite realistically, but I can tell you this for sure: The government is not doing Bill 218 to reduce revenue, they're doing it to increase revenue. So you can cut it, slice it, dice it however you wish, the real point is that Ontario today has a \$25-billion deficit, and that \$25 billion has been squandered by eHealth and overregulation and the—

The Acting Speaker (Ms. Cheri DiNovo): Again, I would remind the member from Durham to at least make reference to notice of motion 166.

Mr. John O'Toole: We need interprovincial policing to stop the flow of the economy out of Ontario.

But I would say that the time allocation bill that we're dealing with here tonight is unfairly presented to us, at an inopportune time. And with that—let me check the numbers here—I would move adjournment of the debate.

The Acting Speaker (Ms. Cheri DiNovo): I'm sorry, the member from Durham cannot move adjournment of the debate. You have already moved that, so it's already been defeated.

Mr. John O'Toole: I move adjournment of the House.

The Acting Speaker (Ms. Cheri DiNovo): The member from Durham has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

I believe the nays have it.

At this point, I will call in the members. There will be a 30-minute bell.

The division bells rang from 1910 to 1940.

The Acting Speaker (Ms. Cheri DiNovo): Members will please take their seats. The member from Durham has moved adjournment of the House.

All those in favour will please rise and stay standing until counted by the Clerk. Thank you.

All those opposed will please stand and stay standing until counted by the Clerk.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 6; the nays are 29.

The Acting Speaker (Ms. Cheri DiNovo): I declare the motion defeated.

Mr. John Yakabuski: On a point of order, Madam Speaker: I realize we haven't had evening sittings for a while. I counted eight votes in favour of the motion.

The Acting Speaker (Ms. Cheri DiNovo): I announced the count; that's what the count is. Thank you, though, for your insight.

Mr. John O'Toole: I think what the count told me is that we thought it was eight because that's the new rate of tax for almost everything in Ontario, with the HST. So this number has been sort of emblazoned in our minds and in our eyes. Everything we see is 8% more. It's just unbelievable, and the people of Ontario should know this is coming to your town very soon. It's so sad, actually, that they wouldn't have one more day of hearings, just to respect the opposition's ability, which has been limited by Dalton McGuinty.

This interjurisdictional policing thing—if it was enforced, we could have stopped some of the jobs leaving Ontario. Policing at the borders could have stopped that.

I'm not sure. Actually, I probably need a few instructions on this bill, because as I read it, it had its second reading on October 22, and here it is December 1, and we're bringing it in.

The explanatory notes are a very good place to start when you read a bill. It's always important to read that section. It says here that the bill is modelled on the Uniform Cross-Border Policing Act, which was adopted in 2003 by the criminal and civil sections of the Uniform Law Conference of Canada. So there has been an incredible amount of work done on this. Let's be fair to Minister Bartolucci. He has been working with it.

I know that the former minister, who was then the Solicitor General, I believe, Mr. Kwinter, when he was the minister, worked on this; I know he did, and I know he cared. Also, the member from Simcoe North is quite disappointed that he's not here tonight to be able to appreciate the work the minister has put into this. I suspect that I've said quite enough on this.

I would like to split the time with other members. We have a former Solicitor General, Mr. Runciman, and I would like to split my time with the member from Leeds–Grenville, who served as the minister of this particular jurisdictional area for some time. I know he wants to speak on this as soon as possible. I hope it's now. In that case, I'm pleased to relinquish my time and allow the minister to pick it up.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Michael Prue: On a point of order, Madam Speaker: I wonder if it's in rotation; I just wanted to stand on that.

The Acting Speaker (Ms. Cheri DiNovo): The member from Beaches–East York.

Mr. Michael Prue: Since I'm on my feet, I might as well speak to the bill. I am here to support the bill. New Democrats will be voting in favour of the bill. We think the bill is a good thing.

You know, quite frankly, there are two or three spheres here, of which we are but one small part. I agree, and we know that when we have interprovincial policing, if we need to pursue a felon across a border of Quebec or Manitoba, if we need to pursue them north across Hudson Bay into Iqaluit, then there needs to be a mechanism that allows police forces to have the authority to go in there without taking the long procedures necessary to secure authorization.

We also know that criminals can hop on a plane anywhere in Canada. It only takes a couple of hours to get to Vancouver, to all the western provinces, to the eastern provinces, up into Northwest Territories or the Yukon. This is a very large country, with many jurisdictions—13 in all—and Ontario needs to have its provincial police able to go from one jurisdiction to another.

Although most crimes, probably 98 or 99% of them, will be solved locally and within the province of Ontario, there are those from time to time that will be transborder. There particularly will be white-collar crimes where people are able to rip off the systems—the stock markets, the banks and others—and can do so, usually with impunity, across the borders of all of the provinces. We need to give our police that authority. It is for that reason that I stand here to support that. I think the people of Ontario understand that crime does not know those boundaries. Crime can take place literally anywhere, and our police have to be able to pursue that wherever the leads take them, until the person or persons who are responsible are apprehended.

I also stand here to say that this is but one small part. I stood here the last time on second reading and I need to say it again, and I think the members opposite and the people of Ontario need to hear this: We also need to make the same kinds of arguments when it comes to transborder, particularly with the United States. In airport parlance, “transborder” refers to the United States and hardly ever to Saint Pierre and Miquelon: the amount of traffic that goes back and forth, both in terms of cargo and humanity, that crosses one boundary to another, just

as ordinary and good and decent people travel back and forth for vacations to see their relatives, to do commerce, to go to school, to do any number of things. We also have people who are intent on breaking the law crossing from that jurisdiction into ours and vice versa.

We need to make sure that when we are passing this law, the government of Canada understands that this law will not just be between the province of Ontario and our sister provinces and jurisdictions and the territories of Canada, but will also involve—our hope to involve—a foreign jurisdiction, that being the United States. Clearly, if criminals can pass that border, and they often do, then we need to be able to pursue them into the United States, as I'm sure the United States needs to pursue criminals who seek sanctuary in Canada.

The border is a porous place. I can speak from many years of experience, having worked in the immigration department, and see the difficulties that police officers have at our borders dealing with the kinds of activities that take place. The most common one, of course, that one can see at Pearson airport or in Windsor or Niagara Falls, or any of the major border points, is people attempting to smuggle drugs. You can see that all the time. We really need to have laws that allow for us to pursue drug smugglers, not only of opiates but also increasingly those that are pharmaceutical or chemical in nature. We need to be able to make sure that our border has the same authorities that we are about to grant the provincial police.

Last but not least, I think we also need to deal not only with the transborder issues but the international issues. Again, with my experience over those many years working in the immigration department, we would often find that the international police were hamstrung. It was very difficult, working through the Royal Canadian Mounted Police with agencies around the world, to try to get criminal records, to try to pursue criminals who had sought to remain in Canada or to hide in Canada, or to hide their ill-gotten gains in Canada. It was absolutely necessary to give that kind of authority. I also ask the government of Canada to do precisely that: to look at how we can strengthen the jurisdiction of the Royal Canadian Mounted Police, and also the police forces in Ontario and Quebec who are provincially mandated, and local police forces across the country, in order to make sure that criminals can find no sanctuary here, and that if crimes are committed in this jurisdiction we can pursue the criminals and we can prosecute to the full extent of the law whether the criminal leaves Ontario's jurisdiction or not. The same thing, as I've said, holds true for both transborder and international criminality as well.

1950

Having said that, I just want to close by stating that I think all the members in this House should be supporting this bill. All the members will know that their citizens are anxious that a bill such as this passes; that it is given teeth in this province and the authority that we have to give it; that we are making the same kind of arguments to our federal counterparts; and that we are telling the

people of this province that we will do everything that is humanly possible to give them the safety and security they so crave.

I will not be ringing any bells or doing anything else. I believe this bill should pass tonight. I believe we should get on with what needs to be done in this House. There are issues that I have against this government and against other bills, but this is not one of them. This is a bill that should simply be passed into law because we all agree on it.

Having said that, I know that I cannot cede time to my friends, because this is in rotation; I invite the government members, if they have anything else to say on the bill, to say so now.

The Acting Speaker (Ms. Cheri DiNovo): Further debate? The member from York South.

Mr. Monte Kwinter: York Centre.

The Acting Speaker (Ms. Cheri DiNovo): York Centre.

Mr. Monte Kwinter: I'm delighted to be able to speak to this very important bill. As the former minister, I want to commend the current minister for bringing this bill through the various processes that took place, and to really say how important this is in the execution of policing in all the jurisdictions that border Ontario.

One of the things that has always concerned me is that criminals don't respect borders, and yet the police, who are trying to catch the criminals—

Mr. Mike Colle: The clock's not working.

The Acting Speaker (Ms. Cheri DiNovo): To the clerks, please: The clock is not working. Thank you.

Mr. Monte Kwinter: Criminals don't respect borders—they don't respect the law—and yet we are tying the hands of police officers who are pursuing them and suddenly find they are at a border. There are a couple of instances I had direct exposure to, and one of them, of course, was in Ottawa. You have a situation where Hull is basically abutting the city of Ottawa, and yet it's in Quebec. If there's a felony taking place in Ottawa and the perpetrators are going across the border, the minute they get across the border into Quebec, the Ottawa police force could not pursue them.

That made no sense; it made absolutely no sense. You had to wait until the Ottawa police could call the Quebec police or the Hull police to say, "We want to put you on alert that there are people who are perpetrators who have gone into Hull, and you should be on the alert for them." Well, even prior to this particular bill, we were able to work out an accommodation between Hull and Ottawa so that we could do that. That made eminent sense, and there's no reason why we shouldn't continue to do this to all our abutting jurisdictions.

I remember a really interesting situation up in Sault Ste. Marie. The OPP in Sault Ste. Marie had a working relationship with the Michigan State Police in Sault Ste. Marie, Michigan. Now, we would talk about a serious problem that was taking place in Sault Ste. Marie, and that was human smuggling, because the Michigan border is very, very close to the Sault Ste. Marie, Ontario bor-

der. Those people who were dealing in human trafficking would bring across at night people who had found their way into the United States and wanted to come to Canada. The two police services, the OPP and the Michigan state police, would be in boats and they would be patrolling that particular waterway.

We had to have a meeting to discuss how things were going, and because of the restrictions, the OPP could not go into Michigan. Interestingly enough, they could go into Michigan, but they couldn't take their side arms. The OPP said, "We're not going into Michigan without our side arms," and the situation in Michigan was exactly the same.

The solution was to meet in the middle of the water. The two boats met, they tied up beside each other, and we had our meeting. Again, that is really an absurd situation because of the particular restrictions that are in place.

What we are proposing, and what this bill does, is to provide the ability for police services in all of those jurisdictions to have extraterritorial jurisdiction in those other jurisdictions so we can effectively deal with the issues that are confronting police services throughout the province and throughout our neighbouring jurisdictions.

One of the other interesting things that happened: When grow ops were really a scourge—they still are—in Ontario, we went to Minnesota to meet with the Minnesota state police to discuss, "How do we deal and how do you deal with grow ops?" And they looked at us, and said, "Grow ops? We don't have a grow op problem, but you should be aware that you are going to be having a serious problem with crystal meth."

Crystal meth, in the northern United States that abut the Great Lakes, was really at an epidemic level. Although the OPP were aware of crystal meth as being a challenge, it wasn't nearly the scourge that it was in those jurisdictions, whereas we had the problem with grow ops in Ontario.

So, by co-operating with those other police services, we were able to get a heads-up that this was something that we were going to have to be cognizant of, this was something that we were going to have to really find out a great deal about how they enforce it, how they identify it, how they deal with it.

As a result of that particular visit, we were able, at the Ontario Police College, to set up a model house that was used to train police officers across Ontario who came to the police college. We would have one room that was a simulated grow op and another room that was a simulated crystal meth room, and they would be trained on exactly how to deal with a suspected operation in their particular community.

Again, that was something that we were able to do in co-operation with our neighbouring police forces. It's important that we share that information in a way that is convenient, effective, and will allow the police services in all of those jurisdictions to co-operate with each other, to be able to track down those perpetrators who are dealing in—whether it's human trafficking, crystal meth, grow ops—all of the things that criminals participate in.

2000

The main reason for all of these things is to get revenue for organized crime and also, of course, to be able to smuggle illegal firearms into Ontario. That's a whole other issue where people would be going into the United States. Law-abiding people, if you can believe it, would go to southern states where they have flea markets that sell guns, where they have big shows, gun shows. You can walk in and buy an AK-47; you can buy these arms. Normally law-abiding citizens will go in, buy half a dozen guns at relatively cheap prices, bring them across the border, sell them in Ontario and pay for their whole vacation. Suddenly you have people who normally are law-abiding saying, "Here's an easy way for me to make some money. I'll be able to bring them in."

What has happened is that the statistics show that about 75% of all of the illegal handguns that come into Ontario come from the United States. We can actually trace them. You can take a gun, once it's apprehended by the police, check the serial numbers—notwithstanding that some people think that they can remove these serial numbers off a firearm, the manufacturers put an identifying number in a place where it can't be removed—check the gun and its origin. So you can actually get a gun that turns up in Toronto and the police can say, "You know what? This gun was sold in Los Angeles, California. It was bought and the trail disappears." And you suddenly realize that it was bought by someone who had a permit, but from that point on it just goes into this dark hole and turns up in Ontario. These are serious, serious events that have a very, very profound effect on safety and the occurrence of crimes in our jurisdiction.

This legislation will go a long way in making sure that our policing is far more effective. We've always co-operated; that wasn't the problem. We've always co-operated. Whether it would be the FBI or the RCMP, the state troopers, the state police or the provincial police, that isn't quite the problem. The problem is that we didn't have the ability for our officers to pursue leads and to pursue suspects into another jurisdiction without a lot of paperwork and a lot of red tape that in many ways made it ineffective in the pursuit of the prevention of further crimes.

So this legislation will address that. It will be a wonderful tool. And it's not by coincidence that the Ontario Provincial Police Association, the Ontario Association of Chiefs of Police, the Toronto association of police officers, the Canadian Association of Chiefs of Police—and I'm sure many of you know that Chief Bill Blair of the Toronto Police Service is now the president of the Canadian police chiefs association, so, with the largest municipal police service in Canada, the experience that he has to be able to bring his experience to all of the police services in Canada in his role as the president of the Canadian police chiefs association.

I am pleased to have been able to participate and to lend support to my colleague and to encourage all members to support this legislation because it's good legislation. It's been debated and it's something that will absolutely help in the prevention of crime. Thank you.

COMMITTEE SITTINGS

Hon. Monique M. Smith: On a point of order, Madam Speaker: I want to advise that I have delivered a letter to the Speaker this evening requesting interpretation of our time allocation motion, motion 162, that was passed in the House earlier today with regard to Bill 218. In motion 162 we allocate time for the rest of the proceedings regarding Bill 218. Part of that is that the Standing Committee on Finance and Economic Affairs—and I'm going to quote from the time allocation motion—"be authorized to meet on Thursday December 3, 2009, during its regular meeting times for the purpose of public hearings on the bill and following routine proceedings on Monday December 7, 2009, for clause-by-clause consideration of the bill." What I have asked of the Speaker and what I am asking the Speaker this evening is a ruling on the definition of "regular meeting times." It has been used various times—many times—in time allocation motions over the years, and the time of day of the standing committee is often referred to as the regular meeting times. The context as I've given to you in this instance is our motion 162 and the use of the words "regular meeting times" in that motion, which was, as I indicated, passed earlier today.

I've asked for a definition of the phrase from the clerks and have been advised that it can be interpreted rather broadly. I do not believe that the interpretation we've received from the clerks is appropriate. I believe that regular meeting times should reflect a time when the committee has in fact met, and in this case I don't believe that the Standing Committee on Finance and Economic Affairs has ever met in a time earlier than 7:30 or 8 o'clock in the morning.

There is difficulty here as there is no precedent for the definition that we've been given by the clerks' table. I believe that it does need a ruling from the Speaker and, because of the timeliness of this issue, because the standing committee is scheduled to meet on Thursday, I'm bringing up this point of order at this time. I realize that it is somewhat inconvenient for people at this time, but I do believe that we need to deal with this matter in a timely way.

I have offered to provide to the Speaker, and I'm offering to you, Madam Speaker, more fulsome submissions on this issue, but I think just a regular reading of the term "regular" in a dictionary would indicate that there would have to be some precedent involved. We have no precedent for the definition that is being provided by the Clerk's office, and therefore we would like to see the Speaker rule on that. Thank you, Madam Speaker.

The Acting Speaker (Ms. Cheri DiNovo): I thank the government House leader for the motion of order and defer a ruling on that until tomorrow.

Point of order, member from Leeds—Grenville.

Mr. Robert W. Runciman: On the same point, which I don't believe is a valid point: I think one of my colleagues made the point that we have a motion we're

dealing with tonight for this House to sit until midnight. These are unusual circumstances, and it's quite unbelievable. We have a subcommittee of the committee that makes these decisions in terms of scheduling. They've decided, in terms of having some increased opportunity for public input, that they would begin the sittings early. This is a decision of the subcommittee.

The committee has the power to overrule a subcommittee recommendation when it comes to full committee. That's a principle that has been in place and a practice that has been in place around this place as long as I can recall. So I think this point is completely invalid and I would encourage you to rule it so.

The Acting Speaker (Ms. Cheri DiNovo): I thank the member from Leeds–Grenville and, again, I hearken back to what I said to the government House leader. I'm deferring a ruling on that point of order and your subsequent point of order until tomorrow. Thank you.

Mr. Gilles Bisson: Point of order.

The Acting Speaker (Ms. Cheri DiNovo): Is this on the same point of order?

Mr. Gilles Bisson: Madam Speaker, I don't want to take a lot of time on this but I want to put out a couple of things for the record. First of all, it's quite right that what has happened in this House is that that particular bill was ordered to the committee by way of a time allocation motion, but it is always up to the committee to decide how they're going to order up their business. Clearly, what has happened in this particular case: The government is not in a position to determine when the start of the morning is because the morning is any time after 12:01.

Committees in the past have decided to start sometimes at 9, sometimes at 11, sometimes at 7 o'clock in the morning, sometimes earlier. I've been around this place for 20 years. I've seen committees order up their business at various times of the morning in order to accommodate the schedule based on the amount of applicants who come before them to make depositions.

Clearly what has happened here is that the subcommittee has ruled—in fact, as I understand it, it's not just a question of the opposition; the government member of the subcommittee also decided along that path of action. There were representatives from each of the parties. Each of those parties said, "Yes, we're going to allow as much time as possible in order to allow people to present to this committee," and agreed on 12:01. So therefore it is up to the subcommittee to order that business. The only way that can be overturned, as you well know, is before the rules of the House, and I'm not going to get into that.

I would like to end on this point: I think it is a very slippery slope that we get into, after we've given a committee direction to hear a particular issue, for us to come back into the House and try to change that. There are all kinds of precedents within Monpetit and Beauchesne that speak directly to that issue.

The House, if you look at the precedents, is very clear. Once the House has ordered something into committee, it

is up to the committee to deal with it. The House by way of the precedents of both Monpetit and Beauchesne are very clear on that, that it is up to the committee then to deal with that issue, and if they're not able to, then they can order it back to the House. But it's a matter for the committee at this point and not the House.

2010

The Acting Speaker (Ms. Cheri DiNovo): I thank the member from Timmins–James Bay for his point of order. As I said earlier to the others who deputed on this, this will be a ruling that's deferred until tomorrow when the Speaker makes the ruling.

Hon. Monique M. Smith: Madam Speaker—

The Acting Speaker (Ms. Cheri DiNovo): Is this the same point of order? On the same point of order, government House leader.

Hon. Monique M. Smith: Just two more points on the same point of order: The House leader for the opposition has indicated that the House standing orders do provide for midnight sittings, and they do provide for midnight sittings; I'm not arguing that. That's what we're doing this evening. However, that is not the same interpretation of committee hearings and of the words "regular meeting times."

I also recognize that the subcommittee has made a recommendation; however, because of the scheduling that's involved, the full committee will not be sitting in order to look at the subcommittee report prior to the convening of this at 12:01 a.m. potentially, and I would argue that that is not a regular meeting time for that committee.

Mr. John O'Toole: Madam Speaker, on the same point of order, referencing the comments made by our House leader. This unusual intervention into a debate that's on the floor is—I am assured by our member, Lisa MacLeod from Nepean–Carleton, that they are in the process now of engaging people across the province of Ontario to appear and to make the logistical arrangements for them to travel from other parts of Ontario to be here on the scheduled date of December 3, I believe it is. So I think deferring this complicates it even further. This won't allow the people of Ontario to make the necessary logistical arrangements to be here, whether it's from Thunder Bay or from Nepean or wherever they are coming from. If they had hearings in other parts of the province, it would have been more convenient.

So I think it's important that we don't confuse the message. The subcommittee of the finance and economics committee met legitimately. They made a decision, and that decision shouldn't be debated in this Legislature. Let the people of Ontario speak at 12:01 on December 3.

The Acting Speaker (Ms. Cheri DiNovo): I've heard the government House leader and I've heard both opposition parties at this point. I've ruled on the deferral of the ruling on this particular point of order and the conversations around it until tomorrow morning. If there's anything new to be added to the debate, I am interested in hearing it but please be brief.

Mr. Michael Prue: Yes, I will indeed be brief. I was on the subcommittee, alone amongst the people speaking. I was actually there.

A couple of things: First of all, the other people who were there—Ms. MacLeod was there from the Conservatives, I was there from the NDP, the member from York South–Weston was there from the Liberals, and of course the Acting Chair was there as well to speak. I want to state unequivocally for the record that not only—and I made the motion for the 12:01; it was me who made it. I made that motion. It was supported by the Conservatives and it was also—I don't want to say completely supported, but not fought over one iota by the member from York South–Weston, who agreed that it was possible to do it.

I do acknowledge that the member, the parliamentary assistant, did voice his concerns, and I'm not going to say he did not, but the member from York South–Weston, a third member of the committee, did not object to what was being done.

I want to say that the committee had the authority. We questioned the clerk who was there. The clerk informed us that he would go back and find out further information about whether or not that was possible. He relayed that information to us about an hour later and confirmed that the motion that we had made for 12:01 was correct.

We did precisely what the Legislature asked us to do in order to accommodate the numbers of people we anticipate will want to be heard. At the time we sat down, there were 37 people listed to depute, without even advertising, and it was estimated by the clerk and the other people who were there that there was going to be in excess of 60 to 80 people by the time one day's advertisements were made on the parliamentary channel. This was an attempt to accommodate those people. That is why it was done, and for no other nefarious purpose as is being alleged.

Mr. Wayne Arthurs: If I can make a couple of comments as the government member sitting on the subcommittee: First, the member from Pickering–Scarborough East is the government member on the subcommittee. The member from York South–Weston is the vice-chair of the committee. I was quite clear, as the member from the government side of the House, of our opposition to what was put forward. There was absolutely no clarity.

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Member from Hamilton East–Stoney Creek.

Mr. Wayne Arthurs: The member from Timmins–James Bay indicated that all the committee members were in support, generally or specifically, of the motion. That's not the case.

Secondly, if I could, we spoke vehemently against it. The member from Durham said the clerk is already taking action to schedule the deputants and the like. The clerk is not doing that. The clerk was very specific in an e-mail to the members, as to the outline of what he is proposing we would do based on the subcommittee two-

member majority recommendation—not a unanimous decision.

The clerk will undertake the work outlined in that memorandum to us at such time as the bill is referred to the committee, which will be subsequent to the vote on Bill 218 tomorrow. He has taken no action in scheduling or anything else in respect to the committee. I will agree that there are a great number of interested deputants, but that is not advertising; that will not take place until the point where this House deals with Bill 218.

As a member from the government side, I expressed my opposition quite definitively and clearly.

The Acting Speaker (Ms. Cheri DiNovo): Everyone has been heard on this particular point of order. As I've said, I'm going to defer the ruling to tomorrow; we will allow the Speaker to do that. He will bring in the ruling tomorrow.

TIME ALLOCATION

(continued)

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. Jim Wilson: I believe we're debating a time allocation motion on Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act.

First, I just want to compliment the former speaker for the government, the honourable member from York Centre. During his time as Minister of Community Safety and Correctional Services, he would have laid much of the groundwork, I'm sure, for this legislation to be before us today.

Generally, as my colleagues have said, we're in support of this legislation. I think most of our constituents, if they're listening to this debate or have listened to the previous debate we had on this, would be cocking their heads and saying, "Gee, can't our police go over artificial lines called provincial boundaries and other boundaries? We would have thought that issue would be solved a long time ago." It's sort of like watching US programming where if you can get to the county line, you can escape the police that are chasing you. I certainly thought—and I compliment the current minister for bringing this forward—that there wasn't a problem like that in Canada, but I guess it does exist from time to time.

Time allocation, of course, is something we're not happy about. It seems obvious to me that you're desperate to get out of here on December 10, not the December 22 you floated out here. We're here, no matter what you do, as Her Majesty's loyal opposition.

The debate we just had is similar to time allocation, in terms of the House leader for the government wanting to get up and squeeze even tighter the little bit of committee time, which is down to one day now, on the greatest tax change that will ever occur—and has ever occurred—in my lifetime and everybody's lifetime in this chamber, with respect to Ontario's sales tax and the new HST.

It's not what the government has been selling, so we need a lot of committee time. We just had time allocation on that slammed down on us today. To say that now she wants to ask the Speaker, through the House, for a new definition of what the regular sitting times are for that particular committee time is what I call the most petty thing I've heard in the last 24 hours, and we've heard a lot of petty things.

But you're down to, frankly, one day. The committee is trying to be polite to those deputants who want to come forward. The member for—Mr. Prue; I'm tired and I can't remember, and I've got pneumonia. I'm supposed to be in bed. You're all going to get notes from my doctor tomorrow about why the hell I'm here when I should be in bed.

The fact of the matter is, it's just horrible. Why would she get up and do that? You're down to one day. Can you not sit in committee for one day and respect the wishes of the subcommittee, which the government had a member sit on, and just listen to a few people? We've heard from the member for Beaches—East York that there may only be 60 people or so, if they can accommodate them in the hours they want—the regular sitting time they want.

We've had time allocation on the bill. We've got time allocation on Bill 203, which we're discussing right now. You've obviously done your war-gaming, set from December 10. You've now got everything time-allocated, so you really don't need any more than one of us to sit here, and maybe one member from the third party.

You've got a complete dictatorship going, and you're pretty well just closing down debate on absolutely everything, particularly the HST.

With that, I have no other choice than to call for adjournment of the debate.

The Acting Speaker (Ms. Cheri DiNovo): The member from Simcoe—Grey has moved adjournment of the debate.

All those in favour, please say “aye.”

All those opposed, please say “nay.”

I believe the nays have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 2021 to 2051.

The Acting Speaker (Ms. Cheri DiNovo): The member for Simcoe—Grey has moved adjournment of the debate.

All those in favour, please rise and remain standing until counted by the Clerk.

All those opposed, please rise and remain standing until counted by the Clerk.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 6; the nays are 29.

The Acting Speaker (Ms. Cheri DiNovo): I declare the motion defeated.

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Order, please.

I am now required to put the question.

Mr. Bartolucci has moved government notice of motion number 168. Is it the pleasure of the House that the motion carry?

All those in favour, please say “aye.”

All those opposed, please say “nay.”

I declare the motion carried.

There will be a 10-minute bell. Call in the members.

The division bells rang from 2053 to 2054.

The Acting Speaker (Ms. Cheri DiNovo): I've just received a government notice of motion 168 deferral slip. The government House leader has asked that this be deferred until December 2, 2009.

Vote deferred.

TECHNICAL STANDARDS AND SAFETY STATUTE LAW AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX NORMES TECHNIQUES ET À LA SÉCURITÉ

Mr. McMeekin moved third reading of the following bill:

Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996 / *Projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.*

The Acting Speaker (Ms. Cheri DiNovo): Minister of Consumer Services.

Hon. Ted McMeekin: I'm pleased to have the opportunity to speak to this important piece of legislation. I know that members of the House will want to engage in some discussion on this, given the importance of public safety.

The Ministry of Consumer Services comprises two significant operational areas: one focused on protection and education for consumers themselves and the other focused on the regulatory environment in a number of industrial sectors. We also play an important role in the oversight of administrative authorities that administer certain laws on behalf of the government. One of my first activities when I was appointed back in June as the new Minister of Consumer Services was to review a comprehensive third party study of the administrative authority model. The model, as many of you are no doubt aware, was conceived in 1996 by the previous government and had been evaluated only once, in 2001, in the early years of its development. This review gave us an opportunity to look at the model in a more mature state and to assess its strengths and weaknesses.

That's always helpful, when you get a chance to reflect on something that's happened and to take the opportunity to learn from it. I've always thought, why would one bother reflecting on anything unless it was with a goal to learn something, and from that learning, to then be able to plot a plan to bring in some change that hopefully would make this world a little bit of a better place to live?

I'm pleased to report that the review's findings were twofold: First, as a model, the system of delivering

consumer protection and regulatory governance through the administrative authority model works very, very well. The second major finding of the model review was that, day by day and organization by organization, the administrative authorities are doing a good job. I think it's good news for all of us, and for all Ontarians who may be tuned in tonight, to know that those areas that the government does delegate to people with specific expertise—that's done by way of almost a sacred trust. We trust people. We entrust people to be on top of things and to make sure that public safety is protected, and that includes everything from elevators through to upholstered goods—I spent the day down at the CNE inspecting upholstered goods. The TSSA has some responsibility for that. But that's just by way of preamble.

I want to talk a little bit more specifically about the Technical Standards and Safety Authority itself, because that's really what the bill is about. I offered that preamble just to kind of set the context. I know you have to be concerned about the exegesis of these things; they can't all be; they can't all be isogesis. It's got to be exegetically sound. I know you have some appreciation for that.

2100

In that context, I just want to say that on August 10, 2008—

Hon. Sandra Pupatello: Ted, you went way over their heads on that one.

Hon. Ted McMeekin: Well, it's a little bit of theological inside baseball, but the Speaker well knows of what I speak.

On August 10, 2008, a tragic explosion occurred, as we all know, at the Sunrise Propane facility in Downsview. In the immediate aftermath, the government felt it prudent to establish an expert propane safety review panel and sought out and appointed two independent experts, Dr. Michael Birk, who's well known in this area, and Ms. Susana Katz to the panel, another well-known person in the area of public safety.

The panel was asked to conduct a comprehensive safety review of Ontario's legislative and regulatory framework for the storage, handling, location and transportation of propane. The panel received submissions and suggestions from a very wide range of participants, including, of course, the propane industry, municipalities, ratepayer groups, emergency responders and, obviously, the insurance industry that had some interest in this particular topic.

In November 2008, the panel issued a report, which concluded that the building blocks for propane safety that are in place in Ontario have served Ontarians well over the years. In fact, they went a bit further than that; they said it was one of the best public safety systems in the world, which we were pleased to hear and which I think Ontarians were generally pleased to hear. You like to have that kind of assurance offered up by independent people.

Notwithstanding that expression of confidence, the review group made some 40 different recommendations.

They said, "Hey, it's really good. It's probably one of the best in the world. But you know what? Here are 40 good ideas that, if you were to implement them, would make the system even better." So what did we do? We took the recommendations that were made and we acted on them. In fact most have already come through regulation, as you know, Madam Speaker, because we did a little bit of an exchange dialogue, a very helpful dialogue, by the way, in the estimates committee about each of the specific recommendations in detail: how they've been implemented or indeed are in the process of being implemented. I really enjoyed that, by the way. It was almost cleansing to be able to do that, to be able to actually feel that we had, together, caused something important to happen, and that was very much the case.

As well as the 40 recommendations, the Technical Standards and Safety Association—we affectionately refer to it as TSSA, as you know—issued its own action plan to respond to the panel's recommendations in the report. I believe it was in December 2008 that the TSSA completed a re-audit of all propane facilities in the province. And this re-audit did not—I emphasize "did not"—identify any trends or systemic safety issues. I think that's kind of important, right?

In addition, the government put in place new regulations implementing a number of the panel's recommendations, and I think in fairness to those who probably haven't reflected on this or touched on this for some time, it would be helpful just to quickly enumerate some of those issues. I'm not going to go through all 40, like I did in the estimates committee. That took us half an hour just there—a half-hour well spent, by the way, I think you would agree—but it was something that we wanted to do.

The regulatory amendments that we made based on the recommendations related to enhancing and improving Ontario's propane system included—they're in no particular order, but they're certainly all very important:

- a minimum of annual inspections for all propane facilities, which makes sense, regulate that and get that up front;

- additional requirements for the licensing of propane facilities;

- stricter limits on the storage and inventory of propane;

- enhanced training requirements, which seemed particularly appropriate given the circumstances of the tragedy that we faced and the charges that were laid related specifically to a lack of training; and

- public availability of a facility's emergency preparedness plan, which involves working with emergency people, the fire department, fire marshals, what have you. We know these people lay it on the line every single day to protect public safety, so there's nobody better to be involved in checking that out.

Two of the recommendations required legislative changes, and these changes have, in fact, been incorporated into the amendments to the Technical Standards and Safety Statute Law Amendment Act, 2009, which, if

passed, and I'm optimistic and very hopeful that we will embrace passing this bill, would require propane operators to carry insurance as a condition of licensing—anyone that's not insured can't be in the business, full stop—and provide TSSA with clear authority to respond to imminent hazards and charge the cost of those hazards and checking on them and making sure that it's done back to the operator itself. I think that's an appropriate response.

We know that tragic events can happen no matter how careful we are, but that doesn't allow us any licence not to seek continuous improvement, right? It's a good system, but tragedies happen, and you want to be there. You want to make sure that you make the changes.

The best political advice I ever got was from the late great Sterling Hunt up in Linden, who said, "You want to get elected?" I said, "Sure do." He said, "Well, tell them what's broke and how you're going to fix it." When all the dust settles, that's probably all that politics is really about. We gather in this place, we look at what's going on, we try to ascertain what's broke, and we try to determine what the best way is to fix it, right? Plan, think, act, review.

There are no steps that will ever guarantee absolute safety. That having been said, we can't be complacent. We do have a responsibility to seek continuous improvement in our systems. If we have the misfortune to experience a disaster, we must seize that opportunity and learn from it. What went wrong? Where did we fail? How can we make things better?

The propane safety review panel made specific recommendations for improving propane safety, and we're acting on all of those. Notwithstanding that Ontario technical standards are amongst the best in the world, we're still acting on those 40 recommendations. They work well to protect the people of this province every single day. Again, when all is said and done, that's a big part of what we're here for and certainly what the TSSA is here for.

The TSSA has demonstrated positive public safety results in the sectors that they regulate. They have increased their capacity to undertake inspections, which I think is good. This has led to a fairly dramatic decline in the number of incidents that present themselves as being problematic.

2110

Even though the TSSA has this strong performance record in safeguarding the public, it was, of course, prudent for us to move forward with amendments that would strengthen our governance and accountability framework and which would also strengthen public confidence in our safety system. Why, you might ask? Because it's our job to continually identify and act where improvements can be made. That was precisely our intent with these proposed amendments to Ontario's Technical Standards and Safety Act.

So let's just look specifically, because I've got a few minutes left, at what some of these proposed amendments would do. There are a number of things that are covered off.

First, we would require the TSSA to appoint an independent chief safety and risk officer—a darned good idea, don't you think? This position would provide independent advocacy for improving safety and report annually and publicly, in a transparent way, on how the TSSA is meeting its public safety mandate. This officer will also work with the TSSA to bring new safety best practices to the TSSA.

Secondly, we propose to give the Minister of Consumer Services—

Interjection.

Hon. Ted McMeekin: Yes, it's me; you're right, whoever said that—at the moment, at least. You never know, I've learned, in this place—the power to guide the strategic focus of the TSSA by issuing policy directives: a direct link. If the government wants to get something done, we will have, if this bill is passed, the ability to provide direct policy directives.

Third, we propose to give the Minister of Consumer Services—that's me again; thank you—the power to appoint the chair and vice-chair of the TSSA's board from amongst the directors. That has to do with accountability and the chain of command, right? We have a very strong interest in the effective operation of this board, and we're going to make sure we make that operational. One of the ways we're going to do that—and I don't know if everybody here knows this; I shared it in estimates. One of the things that I've undertaken as the minister is to covenant for quarterly meetings with all the designated administrative authorities. Now, why would we do that? Because learning doesn't start and stop; learning is an ongoing process. If we can gather people around the table who have this sacred trust that I referenced earlier and engage in a process where we can learn from each other, we all come out further ahead, but most importantly, the good people of Ontario come out further ahead. In addition, the board members who are appointed will need to meet certain competency criteria, again established by the minister.

Fourth, we propose to allow the Auditor General to access the TSSA's records, should the auditor choose to conduct an audit. Again, transparency and accountability, straight up.

Fifth, we propose to require the minister and the TSSA to enter into a new memorandum of understanding on the governance of the corporation, one that clearly articulates the roles and responsibility of both the government and the TSSA. That makes sense.

Sixth, and importantly, we propose to allow the Minister of Consumer Services—that's me again, currently—to require performance, governance, accountability or financial reviews of the corporation.

Now, as my honourable colleagues are aware, or should be aware, the panel reported that the building blocks for good public safety are in place. The panel also stated that these building blocks have served the good people of Ontario well. Of the 40 recommendations, as I mentioned, we've acted on most of these, and the two

that we needed to act on additionally are reflected specifically in the legislation which I'm speaking to now.

The panel advised that our government provide the TSSA with clear authority to respond to imminent hazards to public safety and to charge the cost back to the operator. We're moving on that. We've also proposed to provide authority to require propane operators in Ontario to carry insurance as a condition of licensing.

All in all, we really have made an honest, legitimate effort to analyze the situation, to reflect on it with people who know far more than this minister does specifically about it—although I'm learning an awful lot about propane and public safety—and to make amendments that will address the issues that have been identified. When all is said and done, that's what we're here to do, right? As I said, we're here to promote public safety and protect consumers.

We're going to provide authority to require propane operators in Ontario to carry that insurance that I mentioned. Through our proposed amendments the people of Ontario can be confident that we're taking steps in this province to make the province even safer. They can take pride in choosing to live and work in a province that considers technical safety to be of paramount importance.

The Acting Speaker (Ms. Cheri DiNovo): Further debate?

Mr. John O'Toole: I did respectfully listen to the Minister of Consumer Services. I know, with all due respect, he did his very best to present his arguments, his case, for the bill.

I should also say, for those people in Ontario who are listening, that the Minister of Small Business and Consumer Services, when this was introduced in May 2009, was Minister Takhar, who is now the Minister of Government Services. So, things change and things somehow remain the same.

To put things in perspective, it's very important always to look to history. We're responsible for listening and learning from history or in fact we're doomed to repeat it. Putting it in a bit of context here, one would ask oneself what took them so long to respond to such a tragedy. That puts a bit of a frame around the argument that I intend to put on the table today.

What do I mean by that? If you look to the history of that, I put a call in to John Tory, our former leader. Mr. Tory was one of the kindest persons who had served in some time. The reason I say that is, he was the first elected person, in context, the people of Ontario should know, without a lot of fanfare—

Laughter.

Mr. John O'Toole: They are laughing. I won't name them. I won't name. I'm trying to keep this at a level of discourse that's complimentary to the minister's hard work here.

John Tory was at that site, speaking to the bereaved families and not—

Interjections.

Mr. John O'Toole: No, this is not about taking credit. This is about actions speaking louder than words.

I want to put context around this. It's very important to look at and learn from history. Not to be preaching or teaching, but this is a teachable moment for members here, and we have many.

What I want to say is this: Early one Sunday morning—August 10, 2008—a propane blast at the Sunrise Propane Industrial Gases facility hit the northwest end of Toronto, prompting the evacuation of local residents, and investigation of the incident, under the jurisdiction of the Ontario fire marshal.

I should say, with the greatest respect, last Friday evening I was in this building and I had the pleasure of sitting with the chief of Toronto police, Bill Stewart, as well as the Ontario fire marshal, Pat Burke.

Interjection: Mr. Stewart is the fire chief.

Mr. John O'Toole: Fire chief. Pardon me.

I would say this: These two gentlemen put their bravery on the line each day. That's not in dispute. Who was missing from the event? We'll leave the people of Ontario to figure it out.

There is no substance in this bill, unfortunately. There's a lot of talk but very, very little action. In fact, anything it does is dumped under the argument of regulation. The action response on this is an indication that they had very little planned. In fact, if you want, I think history—you know, normally I could just move to another motion here, but I like to draft these things. Our member Julia Munro, who is not here, did not know that this bill was going to be called tonight. Ms. Munro, the member from York-Simcoe, would have been here tonight to show respect for an event which cost life. Let's not trivialize this. This is a serious issue on which we want to improve the safety for the people of Ontario.

This explosion—I don't think any minister, in any intentional way, would ever set out to diminish the public safety in Ontario. I think that's unquestionable. But let's put a further little probe into the history. It's important always to learn from these incidents, or they could possibly happen again.

In fact, I'm pleased to say tonight that our member Bob Runciman, the member from Leeds-Grenville, was the minister when this organization came into effect. I commend him. This was Bill 42, if you want the history, and the year was 2000. Much has changed, but in this transfer of propane from truck to truck, I don't think you can legislate these things except by inspections. I think the minister knows that, and he said in his remarks that it had a reinspection a year ago. There were inquiries into this, and I don't want to cast—what are we learning from here?

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): The member from Renfrew.

Mr. John O'Toole: The only thing I see in this bill is a lot of talk and very little action. Many of the critics say that this is nothing more than window-dressing. I think bringing this in in the shadows of night sittings, a year or two after the event of the life that was lost, speaks loudly to the disrespect of the event itself. I am so disappointed

that I am going to at this time have to move adjournment of the debate, because it's an inappropriate action in the dark of night.

The Acting Speaker (Ms. Cheri DiNovo): The member for Durham has moved adjournment of the debate.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed, please say "nay."

I believe the nays have it.

We will call in the members. This will be a 30-minute bell.

The division bells rang from 2123 to 2153.

The Acting Speaker (Ms. Cheri DiNovo): All those in favour will please rise and remain standing until counted by the Clerk.

All those opposed will please rise and remain standing until counted by the Clerk.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 9; the nays are 32.

The Acting Speaker (Ms. Cheri DiNovo): I declare the motion defeated.

Mrs. Carol Mitchell: On a point of order, Speaker: I just want to bring my point of order to the floor. It is the season, and we certainly are all getting along very, very well. I wondered if we could just take a few minutes to sing a couple of Christmas carols in recognition of the season—

The Acting Speaker (Ms. Cheri DiNovo): As the member well knows, it is not a point of order. Thank you.

Pursuant to the order of the House—

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Order. Quiet.

Mr. Mike Colle: Speaker, on a point of order: I have a copy of Christmas carols here we could all sing.

The Acting Speaker (Ms. Cheri DiNovo): I would ask the member, first of all, not to use a prop; second of all, to take his seat.

Interjections.

The Acting Speaker (Ms. Cheri DiNovo): Order. Thank you.

Pursuant to the order of the House dated November 19, 2009, I am now required to put the question.

Mr. McMeekin has moved third reading of Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

A five-minute bell will ensue. Call in the members.

I've just received a deferral slip, so Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996, will be voted on on December 2, 2009, tomorrow.

Vote deferred.

The Acting Speaker (Ms. Cheri DiNovo): Orders of the day.

Hon. Monique M. Smith: It will bring the member for Northumberland much joy that we have no further business this evening. I move adjournment of the House.

The Acting Speaker (Ms. Cheri DiNovo): Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

This House stands adjourned until tomorrow morning at 9 o'clock.

The House adjourned at 2157.

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Sandals, Liz (LIB)	Guelph	
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Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
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Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
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CONTENTS / TABLE DES MATIÈRES

Tuesday 1 December 2009 / Mardi 1^{er} décembre 2009

ORDERS OF THE DAY / ORDRE DU JOUR

Time allocation

Vote deferred 8967

Time allocation

Hon. Rick Bartolucci 8967

Mr. John O'Toole 8968

Mr. Michael Prue 8971

Mr. Monte Kwinter 8972

Committee sittings

Hon. Monique M. Smith 8973

The Acting Speaker (Ms. Cheri DiNovo) 8973

Mr. Robert W. Runciman 8973

Mr. Gilles Bisson 8974

Mr. John O'Toole 8974

Mr. Michael Prue 8975

Mr. Wayne Arthurs 8975

Time allocation (continued)

Mr. Jim Wilson 8975

Vote deferred 8976

Technical Standards and Safety Statute Law

Amendment Act, 2009, Bill 187, Mr. McMeekin /
Loi de 2009 modifiant des lois en ce qui a trait aux
normes techniques et à la sécurité, projet de loi
187, M. McMeekin

Hon. Ted McMeekin 8976

Mr. John O'Toole 8979

Vote deferred 8980

20N
1
23



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of Ontario**

First Session, 39th Parliament

**Assemblée législative
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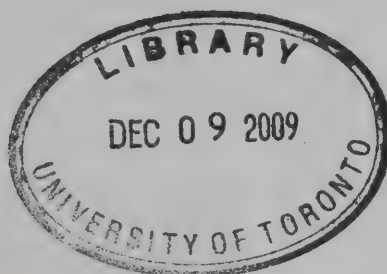
Première session, 39^e législature

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(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 2 December 2009

Mercredi 2 décembre 2009



Speaker
Honourable Steve Peters

Clerk
Deborah Deller

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 2 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 2 décembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the Buddhist prayer.

Prayers.

CONDUCT OF HOUSE PROCEEDINGS

Mr. Robert W. Runciman: On a point of order, Mr. Speaker: I'd like to rise on a point of order that relates to standing orders 15(a) and (c) and to the ongoing situation surrounding the member of provincial Parliament for Bruce-Grey-Owen Sound and the member of provincial Parliament for Lanark-Frontenac-Lennox and Addington.

As we all know, for close to two days now, Mr. Murdoch and Mr. Hillier have been staging a legislative protest over the McGuinty government's refusal to hold so much as a single public hearing on the HST outside of Queen's Park. Speaker, I know these past two days have been challenging for you, as well as for the Sergeant-at-Arms and other House officers, and I want to make it clear that there was never any intention to use this protest to undermine your authority in this chamber.

William Lyon Mackenzie King, a Liberal, once warned Canadians about the importance of public input in our democracy: "Where there is little or no public opinion, there is likely to be bad government, which sooner or later becomes autocratic government." This week, two legislators put that belief into action. Mr. Murdoch and Mr. Hillier made a stand on principle and fought on behalf of the public's right to be heard in the halls of power. They refused to be bullied; they refused to be silenced. Today, they are heroes to their constituents and heroes to taxpayers who will be left paying for this historic \$3-billion tax grab.

It says a lot that in our negotiations around this protest, we made a single, extremely moderate and reasonable request that would have ended this standoff—a single public hearing in a single day outside of Queen's Park—and the government denied the public even that.

Our caucus was proud to stand united behind Mr. Murdoch and Mr. Hillier throughout this protest and we continue to be proud of them as our colleagues. We will continue to oppose the HST, but our point through this particular tactic has now been made, and with the complete support of our caucus, Mr. Murdoch and Mr. Hillier are ending their legislative protest this morning. Thank you, Bill. Thank you, Randy.

Mr. Murdoch and Mr. Hillier were escorted from the chamber.

The Speaker (Hon. Steve Peters): I'd just ask the honourable members if they wouldn't mind staying for a moment, please. I have a message I would like to deliver to all members.

Within the walls of this chamber, the authority of the House is clear: The Speaker is given the authority to "maintain order and decorum." The most serious penalty in the hands of the Speaker is naming, and it is rarely used. Within our standing order 15(c), I exercised that standing order and have suspended two members from this chamber.

As Speaker, I was extremely reluctant to remove two members with force. Some may agree with my decision; some may not. I stand behind it. I'd encourage members to Google "BC member ejected from the chamber" and see the result of a forcible removal in 1983.

I want to take a few moments of members' time to reflect and comment on the events of the past couple of days. First let me say from the Chair, thanks to the opposition House leader, Bob Runciman, for his effort to resolve this matter without further disruption.

Applause.

The Speaker (Hon. Steve Peters): But I'm obligated to add that what took place was at odds with the traditions of parliamentary debate and the practices of this place. To say it plainly, the behaviour of the two members crossed the line. I want to declare emphatically that it was unacceptable to the Chair, just as it should be to all members of this Legislature, regardless of party affiliation. Expressions of dissent, disfavour and even outright protest on the part of members are a respected part of our parliamentary traditions. As Speaker, I am obligated to defend those traditions, and I will not hesitate to do so.

Order and decorum are what makes our system work. Merely enforcing the rules of the game does not imply that I side with one point of view or another. Points of view are to be given full expression in our Legislature, and chaos is not conducive to that. Actions like these actually hurt all of our cause, and doing what has happened impacts seriously on debate and discussion.

But respect is a mutual obligation. There are boundaries to which members must also adhere and standards of conduct that must be upheld. This is not about the Chair's discretion or the opinion of an individual Speaker. It is about failing to show due deference to this institution and the traditions of civil debate; it is about failing to show due deference to the privileges of fellow members of this Parliament, including members from all parties; and importantly, it's about failing to display an

image of parliamentary conduct that the public would rightly regard as appropriate.

Indeed, when members ignore authority other than their own and force the Speaker to contemplate measures as extreme as forcible removal, it seems reasonable to suggest that these same members are projecting an image of indignity that feeds public cynicism about politics and the political process. Surely that has to be unacceptable to us all.

Let me be clear about where we stand now with respect to such behaviour in the future. This is not the new normal. As Speaker, I attempted to exercise a great deal of tolerance and a measure of patience that I will, if needed, repeat again. But at the same time, I will not accept such flagrant disrespect for the Legislature and its members. In future, I assure you that I will move swiftly to preserve the dignity of this chamber, and to preserve the privileges of all members to speak, debate and, if they so wish, protest within the limits of established convention.

To the public I'm going to send a clear message: This is not the way we do your business in your provincial Parliament. We are really doing a grave disservice to our constituents if we willingly give up our voice. The point remains that the Legislature is what gives us our voice. Disregard for those rules diminishes the voice for all.

I'd ask all members to please reflect on these events over the past few days and make the greatest of efforts in their own efforts. Thank you.

0910

ORDERS OF THE DAY

ONTARIO TAX PLAN FOR MORE JOBS AND GROWTH ACT, 2009

LOI DE 2009 SUR LE PLAN FISCAL DE L'ONTARIO POUR ACCROÎTRE L'EMPLOI ET LA CROISSANCE

Resuming the debate adjourned on November 26, 2009, on the amendment to the motion for second reading of Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts / *Projet de loi 218, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2009 et édictant, modifiant ou abrogeant diverses lois.*

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated December 1, 2009, I'm now required to put the question.

On November 19, 2009, Mr. Duncan moved second reading of Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts. Shall the bill be now read a second time?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Second reading agreed to.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 19, the bill is ordered

referred to the Standing Committee on Finance and Economic Affairs.

TIME ALLOCATION

ATTRIBUTION DE TEMPS

Hon. Jim Watson: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil, when Bill 196 is next called as a government order, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That the vote on third reading may be deferred pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Speaker (Hon. Steve Peters): Mr. Watson has moved government notice of motion number 167. Debate?

Hon. Jim Watson: I'm pleased to participate today in the debate on the proposed Barrie-Innisfil Boundary Adjustment Act. I know members of the House are sitting on the edge of their seats waiting for this piece of legislation and my speech.

Ce projet de loi, s'il est adopté, permettra d'assurer la santé et la vitalité économique continues du comté de Simcoe.

We are expecting 73,000 new jobs in the Simcoe area by 2031.

Nous devons nous assurer de pouvoir faire face à cette croissance de façon responsable et durable.

I'm proud of the strong record that the McGuinty government has in planning for growth, with an overall vision and plans that protect the environment while enabling our economy to grow and our communities to offer a better quality of life to their residents. If the proposed Barrie-Innisfil Boundary Adjustment Act is passed, we can get on with definite plans for good, sustainable, environmentally responsible growth for this area.

Prior to our government introducing this bill, we tried for years—literally years—to find a solution to this boundary dispute that would not require us to impose a solution. We arranged for facilitated discussions among the municipalities by the Office of the Provincial Development Facilitator from 2006 to 2008. Those discussions included the town of Innisfil, the county of Simcoe and the city of Barrie.

We thought we might be coming to an agreement in February 2008, when the facilitator tabled a proposed solution. Unfortunately, no consensus could be reached among the municipalities, and so, for almost two years, the stalemate continued. Resolving the impasse is an important element of our government's plan for a sustainable future called the Strategic Vision for Growth in the Simcoe Area.

Municipal and community leaders have been asking the province to take a leadership role in building strong and attractive cities, towns and rural areas. Well, we are. Our strategic vision for growth shows how the Simcoe region should grow over the next 20 years. One of the first steps in proper planning for growth is to identify the potential of existing urban centres. This lets us plan to make the best use of existing infrastructure so that we can maximize the value of the public investments in infrastructure that we've already made.

Our government is committed to building and supporting strong communities across Ontario. However, we will not do that by sacrificing our environment and our natural heritage systems. We are living up to that commitment with our strategic vision for the Simcoe area.

First, our vision would curb urban sprawl and focus development into existing cities and towns that can accommodate new growth. This makes good use of existing infrastructure and the best practices of compact urban development. Towards this end, we have identified five centres that we call urban nodes in the Simcoe area, where employment growth would be focused. One of these is Barrie, which we see as a primary urban node in the Simcoe area.

Second, our vision would build on the Simcoe area's diverse economic base. Agriculture and resource-based industries, large- and small-scale manufacturing sectors and a strong service sector are economic mainstays of this area. Our vision protects the employment areas for the industries and for future investments in these industries.

Third, our vision would outline a clear future for the city of Barrie as a key urban centre. Our plan would require the city of Barrie to confine 40% of each year's new residential development to its existing built-up area. A further requirement placed on Barrie by our plan is that it must achieve a minimum density of 150 residents and jobs, combined, per hectare, in the area designated as the urban growth centre by our plan. Importantly, our plan will support building and intensification in Barrie's downtown area to help realize the tremendous potential that exists there.

Fourth, our vision would protect the green spaces and agricultural areas to support a cleaner Lake Simcoe. I want to congratulate my colleague—who's in the House—the Minister of the Environment, and my colleague the Minister of Culture for their strong work in ensuring the protection and survivability of that valuable asset from an economic, tourism and development point of view in Lake Simcoe. Development pressures on rural and agricultural lands would be reduced, thereby protecting valuable natural heritage, farmland, sensitive watersheds and, of course, Lake Simcoe.

Ontarians have made it very clear to us that they support a comprehensive plan that protects and restores the ecological health of Lake Simcoe and its watershed. Our strategic vision for growth in the Simcoe area is part of the plan to protect Lake Simcoe and its watershed, and in turn our proposed Barrie-Innisfil Boundary Adjust-

ment Act is a central component of our overall strategy in the Simcoe area.

We have sought the House's approval for this because, obviously, there are time constraints. We want to make sure that the act is in fact passed into law prior to January 1, when candidates can begin registering, because this is going to have an impact, obviously, on the political boundaries of the community of Barrie and Innisfil. It's our hope, with the support of members of the House, that we will reach that deadline, to give that certainty and stability to current and future candidates in the Barrie and Innisfil area.

If passed, this proposed act would help set the stage for the future long-term growth and the coming prosperity for the economy of the Simcoe area and its residents. That's why I urge all members of the House to support this. If members of the House support smart urban growth practices, if they support the concept of blending in the need to protect our environment, as well as future economic growth, they will support this particular piece of legislation.

We're proud of the fact that we have worked in a spirit of goodwill, but unfortunately we were not able to bring the two parties together. So while the facilitator should be commended for the work that he did to try to bring the parties together, regrettably, consensus was not reached. As a result, we had no other choice except to end this long-standing debate, which, quite frankly, was not creating one job, was not allowing the community to move forward and plan. The development community and those people who wanted to create jobs in Simcoe kept telling me and, I know, my colleague from Barrie that this kind of inaction, this kind of instability was not good for economic growth.

0920

I've always felt that the most important thing any government can do in the midst of an economic recession is create the environment to create the jobs for the men and women of all parts of the province, whether it's in my hometown of Ottawa or in Peterborough or, as we're talking about today, in the Simcoe area. I'm very disappointed that we were not able to reach a local consensus. I had the opportunity to talk to the member who represents that area, and I thank her for her courtesy. Obviously, we disagree on the approach, but at the end of the day, the alternative was simply years and years of inaction, more instability and a lack of clarity for the people of Simcoe.

I urge all members to support Bill 196. It is, I believe, a sensible solution to a long-standing problem. This is part and parcel of the work that my colleague the Minister of Energy and Infrastructure has responsibility for, the growth plan. We are working hand in hand to make sure that the people, the businesses and the visitors to that great part of the province, Simcoe county and Barrie, can prosper in the future. I'd ask all members for their support as we move forward to create a better, more vibrant economic circumstance for the people of Barrie and for future generations.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Julia Munro: I find it a rather strange situation this morning because actually the motion that we're debating here is a time allocation motion on this bill. Normally the government introduces a time allocation at a point after second reading debate or during that time when it wishes to shut down debate and reduce the time available for discussion. But, in fact, in this particular circumstance we find ourselves in, the normal passage of a bill has actually completed second reading, the opportunity for public hearing and clause-by-clause—the introduction, and by the way, rejection, of amendments to this bill. It's really a kind of strange situation that, at the very last minute, the government has introduced a time allocation motion. I think they didn't look at how far this bill had come along, and in the sense of opportunity to time-allocate bills as we come closer to the projected time to rise, they simply put all of the bills in the same basket and introduced a time allocation motion on this bill.

It's also interesting because of the fact that we now have actually more time to talk about this bill than we would have had it just continued in that normal process. There's some kind of mystery in my mind in terms of why the government would choose now to introduce the time allocation bill that, in fact, allows more time to discuss this bill.

For me, it's an important opportunity because not only is there the questionable tactic of introducing it as a time-allocated bill at this particular point, but it also is really an important opportunity for me to speak to some of the underlying issues that this bill represents.

The minister, in his comments a few moments ago, referred to the fact that this area, from the government's point of view, is projected to have an increase of 73,000 jobs in the community by the year 2021, which is in just a little more than 10 years. What strikes me as interesting about this land acquisition is that apparently the jobs can only exist if it's under the urban leadership of the city of Barrie. So it poses some interesting questions: Nobody else can provide that opportunity? That seems rather strange. It also seems strange to me, since this is an amount of land in the neighbourhood of 5,000 acres, that only under Barrie's guidance could jobs actually appear.

At the same time, the minister makes reference to the fact that this will somehow allow people, presumably in Barrie, to provide greater protection to the environment. I find that an interesting comment. The minister has, as other ministers of the crown have, referred to the importance of curbing sprawl and having sprawl as an evil kind of thing. Regardless of how that is interpreted, the point is, according to the logic of the government, that when Barrie has control over this almost 3,000 hectares, it's not going to be sprawl; it's going to be protecting the environment, but it couldn't happen under the leadership of the town of Innisfil. So there are some questions.

I also think that most people, when you talk about intensification, tend to understand the use of brownfields,

the question of looking at rezoning to allow higher structures and initiatives like that, which in fact would qualify for intensification. Part of that intensification argument is the ability to expand public transit, and much has been made about the importance of public transit. When you look at adding more areas and not having the kind of intensification that I've just referred to, then, in fact, transit becomes an extremely expensive undertaking. It demands that you have higher-storied buildings on a particular footprint in an urban area. So there are many concerns that people in Innisfil have about the fundamental assumptions that this government has made in proposing that it is appropriate for Barrie to consume, as I say, approximately 5,000 acres in the area.

I think there are a number of outstanding issues in terms of what happens. One of the things that I think is really important, which is missing from this piece of legislation, is the recognition of the principle of compensation. Certainly that is something that we know there are precedents for, where municipalities have changed their boundaries at the expense of their neighbours. There has been a principle of the need for compensation.

I see the issue of compensation on three levels. Obviously the town of Innisfil loses not only the current assessment and, with that current assessment, the fiscal and municipal planning that goes with those assumptions, but also, there is no contemplation of compensation on the future loss of the area. Were it to continue under Innisfil's ownership, so to speak, the opportunities for the same kind of growth and development could be contemplated, whether it's part of Innisfil or part of Barrie. So that future consideration is, again, completely ignored.

The people who live on the land that is going to be transferred to the city of Barrie have huge concerns, and I think justifiable concerns, about the impact that is going to have on assessment values; although not directly but indirectly, assessment values do come to play a role in terms of municipal taxes. The people who are resident in the area have, in some cases, fairly wide frontages. These were properties that were made available 20 or 30 years ago, when people bought small acreages but had, obviously, significant frontages, whether it's a 100-, 200- or 300-foot frontage. As the importance of this land has been elevated significantly by its inclusion into Barrie, they have I think justifiable concerns about the future in terms of the municipal taxes that they're going to see.

Finally, the element of no compensation, this particular principle that the government has used in this case, has much broader-reaching effects, and that is to Simcoe county. Innisfil, as a member of the Simcoe county council, is obviously a payer in terms of the coffers of Simcoe county. The potential of the land now—obviously it pays its way in terms of the levies from the county, but Simcoe then loses that. It also loses the potential value of the area as development takes place because of the legal entity of Barrie not having to contribute in the same way to Simcoe county. So, in fact, the municipalities of Simcoe county are indirectly impacted by what I would call this new principle of land acquisition.

The issue, then, at this particular time is the question of compensation, the fact that the government has chosen to introduce time allocation at this time on the bill, and what would seem to be the inappropriateness—one can only imagine that in the question of public hearings and the lack of public hearings on Bill 218, the assumption is that we need to speed up the process on all bills. We're not looking at the opportunities to have the public heard in the area of Bill 218, the HST, and we're going to see the same kind of broad brush stroke on all the pieces of legislation we're currently looking at.

For those reasons, I move adjournment of the debate.

The Deputy Speaker (Mr. Bruce Crozier): Ms. Munro has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 0933 to 1003.

The Deputy Speaker (Mr. Bruce Crozier): Order. Members, take your seats, please.

Mrs. Munro has moved adjournment of the debate.

All those in favour, please stand and be counted by the clerks.

All those opposed, please stand and be counted by the clerks.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 6; the nays are 46.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion lost.

Further debate?

Mrs. Julia Munro: I would just like to finish up on the issue of the time allocation. As I say, it—

Hon. M. Aileen Carroll: On a point of order, Mr. Speaker: I was in the House, waiting for the honourable member to use her time to speak. She used about six minutes of that time and then went and—

The Deputy Speaker (Mr. Bruce Crozier): That's not a point of order. The member called adjournment. We dealt with that. She has the floor.

Hon. M. Aileen Carroll: Mr. Speaker, for how long does she have the floor?

The Deputy Speaker (Mr. Bruce Crozier): For 27 minutes and 24 seconds.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Will the minister please take her seat.

Member for York-Simcoe.

Mrs. Julia Munro: I just want to finish up by speaking about the question of the government's initiative in terms of taking time allocation.

The minister raised a question about time. I find it really ironic that she would take the time to rise on a point of order with regard to a perfectly legitimate process.

In my remarks earlier, I referred to the fact that the government made the decision to time-allocate this bill. It did that, obviously, within the basket of its options. But I

find it passing strange that it would want to use the time allocation motion, which is a normal process for this government, because what that actually did was create more time for debate. We had already gone through second reading; we had public hearings; we had clause-by-clause. The government had agreed—that is, all members had agreed—that we would have third reading debate and each party would have 10 minutes. The government obviously is only interested in time allocation, and actually created far more time on the clock for all to speak than we had already agreed to.

Particularly when the minister raises the issue about the use of time, I find it very ironic that this should suddenly be an issue, because she already knows that we had completed this process. Now we've actually expanded the process by entertaining this as a time-allocated process.

Once again, I think it's important to remind people that whatever criticisms there are, the point is that the government has the ability to time-allocate, as we've just witnessed here. They have the ability to make decisions on public hearings. Those are two examples of the fact that they have all these cards to play.

I think that calling this particular bill for time allocation was an extraordinary decision to expand the debatable time for this bill.

It's a bill that has very, very narrow interests, because it is a question of Barrie taking a bite out of Innisfil, and people would feel that it is something exclusive to those two municipalities. However, I think that it should be regarded as perhaps a portent of the future, the fact that this government has allowed legislation to move forward that allows no compensation for an undertaking such as that of Barrie and Innisfil. So while it might appear to be a very local issue, I suggest that it sets a dangerous precedent of not providing compensation.

Not only is no compensation provided for the land that has been usurped by Barrie, but there is the fact that the whole reason for doing this is Barrie's apparent ability to provide jobs. The minister referred to 73,000 jobs. I don't know whether that's part of the 600,000 or those are extra jobs, but the point is that apparently Barrie can create 73,000 jobs out of the same land that Innisfil could not. Again, it's the same thing: If Innisfil were allowed to keep its land, then presumably it would be sprawl, but under Barrie's tutelage it simply becomes urban growth. So I think there are some issues that other municipalities should pay some attention to. Obviously, the ones in Simcoe county are seeing that Innisfil's ability to pay its dues to Simcoe county are reduced by the change in control over almost 5,000 acres of land.

While this bill appears to be very narrow, I think it is important. The issue of no compensation, the issue of future impacts on land, the effects on Simcoe county, the fact that Barrie is not in the same relationship with the other municipalities in Simcoe county, and therefore Barrie gets to keep its money in a way that the other neighbouring municipalities of Simcoe county all share in the provision of particular services—I think it is a bill that

has very serious implications for other municipalities, and I think we have to be really careful about the government's rhetoric. When something is good environmentally, the minister says it's protecting the environment, which I think most people find difficult to visualize, considering that at the same time the land acquisition is being done to provide Barrie, in the minister's own words, with land that is necessary for its economic viability. So there are remaining outstanding issues.

I'm going to close on one particular outstanding issue. One of the deputants at the public hearings brought to the attention of members of the committee that her particular property, which through various earlier agreements is now physically an island—it technically belongs to Innisfil, and she has letters that indicate that Innisfil would certainly allow her property to be changed to Essa township, which would be much more logical for her. She was looking for legislators to appreciate her personal position, and I found it unfortunate that the government did not see fit, during clause-by-clause, to include this particular personal anomaly.

We all talk about being here for the benefit of our constituents and the broader base of the people of Ontario, and here we have one quite simple line to be changed from "Innisfil" to "Essa," but in this case the parliamentary assistant—the government—had not included the opportunity for that to be included in the bill. It seems most unfortunate that something that no one disagreed with could not, in fact, be accommodated through this process, and I find that most regrettable. With that, I'm going to conclude my remarks on time allocation.

Debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 8, this House is in recess until 10:30 of the clock.

The House recessed from 1014 to 1030.

INTRODUCTION OF VISITORS

Hon. Rick Bartolucci: We're honoured today to have the Ontario Professional Fire Fighters Association lobby day here at Queen's Park. They'll be meeting with all of us.

I'd like to recognize just a few; I know other members will want to as well. We have Fred "It was the night before Christmas" LeBlanc, the president; Mark McKinnon, the executive vice-president; Barry Quinn, the secretary-treasurer; Pat DeFazio, the president emeritus; and then we have district vice-presidents Ernie Thorne, Mike Pause, Terry Colburn, Warren Scott, Randy Richards and Chris Francescone, and we're really fortunate that we have Eric Nordlund here this morning from Thunder Bay or somewhere, or he's coming.

Welcome, everyone. Have a great day.

Mr. Jerry J. Ouellette: I as well would like to ask all members to join me in welcoming the delegation of firefighters from Oshawa. They would be Paul Konorowski, Steve Barkwell, Rod Thwaites and Craig Baird.

Hon. Jim Watson: I am delighted, along with my caucus colleagues from Ottawa, to welcome the delegation of the Ottawa Professional Fire Fighters Association. I'm not sure if they're actually in the gallery yet, but we've seen them in the halls of Queen's Park: John Sobey, Erik Leicht and Rob Collins. They do a great job for us in the nation's capital, and we welcome them to Queen's Park.

Mr. Robert Bailey: It's my great pleasure today to introduce guests in the gallery here on behalf of myself and the member from Haldimand-Norfolk: Rev. John and Jackie Cruickshank and Rev. Malcolm and Marie Muth, all from Simcoe, Ontario.

Mr. Paul Miller: I would like to welcome the Ontario Professional Fire Fighters Association to Queen's Park today, particularly Henry Watson and his group from Hamilton. We're very proud of our firefighters in Hamilton.

Mr. Monte Kwinter: I'd like to welcome the staff and students of Premier Elite Athlete Collegiate, which is a private high-performance sports school located in Downsview Park. These are grades 6 and 7 students, and they are learning about international trade. They are up in the public gallery, and I'd like to welcome them.

Mr. Frank Klees: I'd like to extend a special welcome to York professional firefighters Brent Heppell and Andre Bourrie, whom I'll be meeting with later today to hear of their issues relating to their profession and the support of the provincial government.

Mr. Khalil Ramal: I want to welcome firefighters from the city of London on behalf of myself and my colleagues Deb Matthews and Chris Bentley: Jim Holmes and Phil King. Welcome to Queen's Park.

Mrs. Elizabeth Witmer: I'm pleased to welcome today our wonderful Ontario principals and also the firefighters from Kitchener-Waterloo.

M^{me} France Gélinas: It is my pleasure to introduce firefighter Muldoon and his crew from the Sudbury fire department, as well as recognize firefighter Harris and Captain Groulx, who are watching us on TV this morning.

I also want to welcome the principal from Sudbury Secondary School, who is visiting as part of Principals' Day. Welcome to Queen's Park.

Hon. Margaret R. Best: Today it's my pleasure to welcome some wonderful people from the riding of Scarborough-Guildwood: Ms. Stacey Berry, Mr. Zubair Patel and Ms. Anne-Marie Thompson.

Mr. Garfield Dunlop: I'd like to welcome the Ontario Principals' Council, the Ontario Professional Fire Fighters and, in particular, Michael Gagnon from the Midland fire service.

Mr. Kevin Daniel Flynn: I would like to welcome two members of the Oakville Professional Fire Fighters Association: president Carmen Santoro and Andrew Lee.

Mr. Charles Sousa: I would like to acknowledge in the Legislature the delegation and members of the Mississauga fire association. Members include Chris Varcoe, Ryan Coburn and Mark Train. We're proud of

the work performed by our firefighters. Welcome to Queen's Park.

Hon. James J. Bradley: I would like to have members join me in welcoming to the Ontario Legislature today firefighters Dave Pay, Terry Colburn, Dean Stoltz and Mike Fowler, and constituency office staff of mine Betty Humphreys and Sarah Grocock.

Ms. Helena Jaczek: In the public gallery, I'd like to welcome three of my colleagues from the master's of business administration program at York University, the Schulich School of Business. In the early 1990s we were all together: Margaret Thomas, Dorene Weston and Diarmuid Salvadori.

Mr. Jeff Leal: I'd like to welcome today Robert Lloyd, who is a very distinguished member of the Peterborough Professional Fire Fighters Association.

Hon. Kathleen O. Wynne: I'd like to welcome all the firefighters and principals.

I'd also like to welcome Dr. Edward Lin, who is the father of page Robyn Lin, from the riding of Don Valley West.

Mr. Mike Colle: I'd like to welcome the members of Toronto Fire Services, Canada's largest fire services, and retired firefighter Digger O'Dell. Welcome.

Hon. John Milloy: I'd like to, on behalf of all of the members, issue a blanket welcome to all of the members of the Ontario Undergraduate Student Alliance who are at Queen's Park this week, I know, meeting with members on both sides of the House. Welcome here to Queen's Park.

Hon. M. Aileen Carroll: I also would like to join colleagues in welcoming firefighters from Barrie: Kevin White and Jim Dawes. It's great to see them back. Unfortunately, one of the very finest, Charlie, couldn't join us because he got married.

Hon. Michael Chan: I want to welcome all of the firefighters who are here today. In particular, I want to welcome, from the Markham Professional Firefighters Association, Scott Daniel, Kevin Tsang, Rob Klassen and Jason Scovell. Welcome to Queen's Park.

Mr. Kim Craiton: I, too, want to welcome all of the firefighters here. In particular I want to recognize some of the firefighters from Niagara Falls: Michael Collee and Tim Lea. Welcome. As well, we are really well represented from Niagara Falls because we have the assistant fire chief, Jim Jessop, here as well speaking on a bill that's going through the House. I'm proud to have the members from my riding here.

Ms. Sylvia Jones: I would like to introduce Cameron Wood. He is neither a firefighter nor a principal. However, he is job-shadowing me for the day, and he is a grade 10 student from Orangeville District Secondary School.

Ms. Leeanna Pendergast: It's my pleasure today to welcome members of the Ontario Principals' Council: my colleague Lisa Vincent, past president of the Ontario Principals' Council; Peggy Sweeney, who does communications, whom I had the pleasure of growing up with; we also have Doug Morrell, the president; Vicki

Shannon, the president-elect; Ken Arnott, vice-president; Naeem Siddiq, vice-president; Paul Camillo, member at large; Richard Pincombe, member at large; Wendy Wade, member at large—almost done, Speaker—Anne Presley, member at large; and Mike Benson, the executive director. Please join me in welcoming them to Queen's Park today.

Mrs. Joyce Savoline: Still making their way through security are proud members of the Burlington community. I would like to welcome Don and Carolyn Johnston; Ralph and Joyce Weston; Alice Sterling—you may recognize that name; Myrna Paton; Abdul Chaudhry; Trudy DeBoersap; Annette Jagt; Ron Morrison; Bert Radford; Lionel McDonald; Dorothy Lundy; June Bishop; and Marlene Purdy.

The Speaker (Hon. Steve Peters): On behalf of page Cairistiona Federico, I'd like to welcome her mother, Gillian; her father, Paul; and her grandmother, Dorothy Dixon, to the galleries today.

As well, I'd like to take this opportunity to welcome a friend of mine from the St. Thomas fire department, Warren Scott, who's sitting up in the Speaker's gallery.

COMMITTEE SITTINGS

The Speaker (Hon. Steve Peters): Yesterday, the government House leader raised a point of order to ask for an interpretation of the phrase "regular meeting times" as used in the time allocation order passed yesterday respecting Bill 218. The matter arises because of a meeting of the subcommittee on committee business of the Standing Committee on Finance and Economic Affairs which resulted in the subcommittee adopting a recommendation to the committee that the public hearings on Bill 218 commence at 12:01 a.m. on Thursday, December 3. The members for Leeds-Grenville, Timmins-James Bay, Durham, Beaches-East York and Pickering-Scarborough East also made submissions on the point of order.

1040

While in most situations Speakers have held that a matter that arises in a committee should be considered and disposed of by that committee, there is also precedent for the Speaker ruling on a matter when the committee proceedings in question were the subject of an order of the House and the issue is the interpretation of the order itself.

The facts, as I understand them from the submissions, are as follows:

The subcommittee on committee business of the Standing Committee on Finance and Economic Affairs met on December 1 in anticipation of the eventual referral of Bill 218 for public hearings and clause-by-clause consideration. This is the usual process that is followed to allow the committee's decision-makers to provide the clerk of the committee with some direction and preliminary instructions so the committee's work can be organized. This is particularly important in a circumstance where the full committee will not have an

opportunity to meet before the commencement of public hearings.

In the meeting of this subcommittee, there was a decision made to commence public hearings at 12:01 a.m. on Thursday, December 3, which is the day set out in the time allocation order for such hearings.

The time allocation motion respecting Bill 218, which passed yesterday, authorizes the Standing Committee on Finance and Economic Affairs to meet on Thursday, December 3, 2009, during its regular meeting times for the purpose of public hearings on the bill.

The government House leader contends that an appropriate interpretation of "regular meeting times" would be 9 a.m. to 10:15 a.m. The question, then, to be decided is: Does such an invariable time exist that committees are required to observe when they meet in the morning? Such a practice would certainly have to be considered "regular." A quick review of committee meeting notices and agendas, however, reveals otherwise. Many committees have commenced their morning meetings earlier or later than 9 a.m. The very committee we are concerned with today, the Standing Committee on Finance and Economic Affairs, has on occasion commenced its meeting at a time earlier than 9 a.m. The only consistency in morning committee meetings governed by an order of the House dated May 1, 2008, is that they must occur in the morning.

This order designates regular meeting times and provides the authority for standing committees to meet. It specifies that the Standing Committee on Finance and Economic Affairs "may meet on Thursday mornings to 10:45 a.m. and Thursday afternoons following routine proceedings." I might add that that identical wording is used in that same motion to authorize other standing committees to meet at those same times on different days, and that the same general terminology has been used in earlier orders of the House in this and previous Parliaments.

There have been occasions when committees have, by a superseding motion, been authorized to meet at a very specific time. That is not so in the case before me. However, it does suggest that if the intent was that the committee would be restricted to a 9 a.m. start time, the motion could have been worded that way. Let me hasten to say, though, that the House leader would not reasonably have had any reason to consider needing to do anything different than using the very common and usual standard wording of a time allocation motion. They have consistently gotten the job done with little ambiguity for many, many years in this Legislature.

Erskine May's Parliamentary Practice states that time allocation motions represent "the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business and the rights of debate."

It is certainly the case that in this House we have seen our share of what I will call extreme procedural events in

the past while. This issue in the Standing Committee on Finance and Economic Affairs is but the latest. All of these have had less to do with any fundamental flaws or lack of soundness in the traditional operating practices of the House and its committees and more to do with manifestations of a profound disagreement over a particular issue.

Erskine May's "carefully preserved" balance has been disrupted, and as a result, wording in a motion that has been used over and over in the past is today tested to the upper limits of its interpretation. However, the interpretation is there; and authorization for morning meetings has previously meant, and continues to mean, any time in the period between midnight and noon unless specified time is observed. If that were not the case, committees would up to now have been prohibited from meeting earlier than the start time of the House, or earlier than 9:00 a.m., or earlier than some other specified and universally observed time.

Do I think it is sensible that a committee would consider holding public hearings before dawn? No, I don't, and since this has not previously occurred, it would seem that that sentiment has generally been shared by committees in the past. But just because I think it is impractical, and just because it has not happened before, does not mean that it's out of order. It simply means that up to now the prerogative has not been exercised. Until it happened, we had never seen a bill title so long that it took all day to introduce; until it happened, the House had never sat through until adjournment listening to petitions; until it happened on April 2, 1997, we had never seen 14,000 amendments filed on a single bill. All of these things did occur; all were extreme measures employed within the limits of the rules.

It is my interpretation that "regular meeting time" refers to the days and times that committees have been authorized to meet by the committee scheduling motion. In that motion, "mornings" has by practice been interpreted to mean some time in the morning, but not a specified time in the morning. I find therefore that if the committee decides to meet at any time commencing at 12:01 a.m. they are in compliance with the terms of the time allocation motion on Bill 218.

I would simply add this: The report of the subcommittee is still to be considered by the full committee. The Standing Committee on Finance and Economic Affairs will have the final say on whether that report is adopted, amended or overturned.

I thank all the honourable members for their interjections.

ORAL QUESTIONS

TAXATION

Mr. Tim Hudak: My question is for the Premier. As William Lyon Mackenzie King said, "Where there is little or no public opinion, there is likely to be bad

government which sooner or later becomes autocratic government." Premier, Bill Murdoch, Randy Hillier and the Ontario PC caucus stood up for that higher principle. We stood on the side of hard-working families in the province of Ontario, facing up to Dalton McGuinty's \$3-billion tax grab. Premier, through that near 48-hour protest, we had one simple request: one day of public hearings outside of the city of Toronto.

Premier, what is it about your \$3-billion tax grab that makes you afraid to go outside of the city of Toronto for your hearings?

Hon. Dalton McGuinty: My honourable colleague knows that this has been the subject of some considerable debate, discussion and conversation for nine months. I'd ask him to contrast that with the few weeks devoted to this on Parliament Hill. I understand the legislation has yet to be introduced in the province of British Columbia.

I also want to raise an issue which I think is an important one, one that weighs heavily on the minds of Ontarians. It has to do with the credibility of the Conservative Party position on the HST. The member for Halton once said, "Taxing businesses for their input costs is also a negative thing to do in an economy. It would be far better if we could find a way to harmonize the PST with the GST."

The member for Dufferin-Caledon once said, "The government should be beginning serious consultations with Ottawa on the subject of tax reform."

Again, we're wondering: Why is it that for a party that stood so long in favour of the HST, they're now against—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1050

Mr. Tim Hudak: Premier, you began this session under the summer of scandal, a billion-dollar boondoggle that saw public opinion force you to finally dump ministers and senior public servants. We then saw your record \$25-billion deficit, with no plan whatsoever to control your runaway spending. Now we have a \$3-billion greedy tax grab on the backs of Ontario families without any public hearings outside of Queen's Park.

Premier, your contempt for the public is drawing criticism even from the editors of the Toronto Star, who say, "The bill's critics deserve a wider opportunity to voice concerns about the legislation. And the Liberals, if they have any faith in the validity of their own position, ought not to be fearful of a fuller public debate."

Premier, I ask you again: What is it about your \$3-billion—

The Speaker (Hon. Steve Peters): Thank you. Premier?

Hon. Dalton McGuinty: I think it's worthwhile that we further explore the depth of the opposition to the HST to be found in the Conservative Party.

The member for Wellington-Halton Hills said, "They must follow the advice they sought from Roger Martin, and reduce taxes on new business investment in Ontario."

The member for Carleton-Mississippi Mills said, "The Ontario government should harmonize its provincial sales tax with the federal goods and services tax."

The member for Cambridge said, "We have called on you to stimulate our economy by reducing the tax burden on business ... eliminating capital taxes in Ontario, reducing taxes on small business, and initiating serious negotiations with the federal government on tax reform."

That's the true position of the Conservative Party on the HST.

The Speaker (Hon. Steve Peters): Final supplementary?

Mr. Tim Hudak: Premier, Bill Murdoch, Randy Hillier and the Ontario PC caucus have the courage of their convictions and stood alongside Ontario families in fighting your greedy sales tax grab. In that nearly 48-hour protest here in the chamber, we had one simple request: public hearings outside of the city of Toronto. They stood with that senior citizen in Belleville who's worried about the tax impact on her natural gas and home heating. They stood with that young commuter family from Oakville worried about your new tax on the cost of gasoline.

Premier, why are you refusing to hear directly from seniors in Peterborough and commuters from Oakville and getting outside the city of Toronto for full public hearings?

Hon. Dalton McGuinty: I want to continue to make the case which is obvious to all: that the Ontario Conservative Party, in fact, supports the HST.

Here's what the member for Thornhill said: "I am not saying that harmonization ultimately is a bad idea."

Here's what the member for Leeds-Grenville had to say: "I think, in theory, our party is supportive of harmonization. In principle, it's something we think should occur."

Here's what the leader of the Conservative Party said: "To be clear, I believe that there's little sense in allowing two separate governments to apply two separate sets of taxes and policies and to collect two separate groups of sales taxes."

I greatly appreciate the performance put forward by my honourable colleague, but the fact of the matter is, the Conservative Party of Ontario, like the Conservative Party in Ottawa, supports the HST.

TAXATION

Mr. Tim Hudak: Maybe I will give back to the Premier one of his quotes. This time, unlike his quotes, it is a full, direct quote. The Premier once said, "Public hearings"; those two words go together nicely if you believe in true democracy." Now, after six years in office, we see an entirely different Dalton McGuinty—locked away in his Queen's Park bubble, surrounding himself with elite opinion and losing touch with hard-working Ontario families.

Let me read your what Fred and Jen, senior citizens from Peterborough, inspired by Bill Murdoch and Randy Hillier and the PC caucus protest in the Legislature, said:

"To implement the HST would be disastrous for many of us. The 8% tax increase on our heating bills, hydro bills, repair bills etc. will be impossible to pay."

Premier, why don't you hold a public hearing in Peterborough to hear from these—

The Speaker (Hon. Steve Peters): Thank you, Premier?

Hon. Dalton McGuinty: Just to continue to help Ontarians better understand the genuine commitment of the Conservative Party to the HST, here are some quotes from federal Conservative members.

Mike Wallace, MP for Burlington: "As Conservatives, we're supportive of a combined tax.... It's not a tax grab.... That is a misnomer [designed] to mislead the public to get them excited about something that's not accurate."

Here's what Dean Del Mastro, MP for Peterborough, said, "It's a massive tax reduction for those that employ Ontarians, for those that drive the Ontario economy. It's a politically courageous decision."

If Ontarians want to know where Conservatives stand on the HST, they need to know they're actually in favour of it.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Tim Hudak: The Premier knows that the Ontario PC Party stands with hard-working Ontario families and retirees in fighting your greedy sales tax grab.

In response to the 48-hour protest in the Legislature, Val and Jim sent in an e-mail that said, "Support your stand 100%. As seniors, there are only so many taxes we can pay."

Mel from Waterloo said, "Thank you for your actions regarding the HST. We seniors and vets need more MPPs like you" supporting the protest here in the Legislature.

Premier, why won't you listen to Mel from Kitchener-Waterloo? Will you hold public hearings in that community to hear from the taxpayers who are going to foot your bill?

Hon. Dalton McGuinty: We now know that the Conservative caucus here in Ontario in fact supports the HST. They've said that. They're on the record. We know that the federal Conservative Party supports the HST. They are clearly on the record. We know that this leader has said in the past that he supports the HST.

Let's ask ourselves what the former leadership of the Conservative Party says about the HST. Here's what John Tory just recently said on the HST:

"I will not take back what I said.... That has made the PCs mad because they think we should just say no, this thing is bad news, all bad news, no matter what, all the time, every day, every part of it—period, full stop. I do not agree with them."

My point is this: This party, like the party in Ottawa, in fact, supports the HST. They won't undo it. They've been in favour of it in the past and they continue to be in favour of it now. They just won't say that.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: The Premier needs to get outside of his Queen's Park bubble and listen to the hard-working families and retirees—

Interjections.

The Speaker (Hon. Steve Peters): Order.

Interjections.

The Speaker (Hon. Steve Peters): I'd just ask all members to please come to order.

Please continue.

Mr. Tim Hudak: The Premier needs to get outside of his elite Queen's Park bubble and listen to the hard-working Ontario families stuck with your greedy tax grab. The PC caucus has received an overwhelming response in letters, phone calls and e-mails in our protest for public hearings outside of Toronto.

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. I'm finding it extremely difficult to hear the questions. I would just ask certain ministers to please be respectful of the Speaker having the ability to hear the question asked.

Mr. Tim Hudak: Thank you, Speaker.

An e-mail said, "Public hearings should be held so members of the public can talk and the government can listen. [McGuinty] doesn't want to hear any dissenting opinions."

Another e-mail said, "Congrats to the two members for speaking up for the" hard-working "people of the province of Ontario" and fighting this greedy tax grab.

As you know, even the Toronto Star said, "The Conservatives have a point that should not be brushed aside: One day of public hearings is absurd."

Premier, will you hold public hearings outside of the city of Toronto?

Hon. Dalton McGuinty: My honourable colleague is so committed to public debate that he deliberately scuttled two question periods. When we offered them more committee time, they rejected that.

I think it's important to hear from an author of a report called Building Prosperity that was prepared in 2006. The author is Mike Harris and this is what he said on the HST, "The five provinces that still apply the provincial sales tax to business inputs ... should take measures to exempt business inputs. Specifically, all provinces should harmonize the provincial sales taxes with the federal goods and services tax."

1100

The reason that this party, like the federal Conservative Party, is in favour of the HST is because they know it's going to create 600,000 more jobs for the people of Ontario, and they know they don't have a better plan.

Interjections.

The Speaker (Hon. Steve Peters): Members will please come to order.

Interjections.

The Speaker (Hon. Steve Peters): Order. New question.

TAXATION

Ms. Andrea Horwath: My question is to the Premier, and it actually comes in the form of a quote: "Premier ...

if you said when you sat in opposition that we should hold public hearings, if you maintained ... that listening was the hallmark of courage ... and given that this budget represents such a dramatic departure from your six previous budgets, do you not agree that the best thing to do in the circumstances is to allow the Ontario public to have public hearings?"

Hon. Dalton McGuinty: My honourable colleague will know that we've had nine months of public debate on this very important package of tax reforms. I think the public has, to a very large extent, become informed on the HST. I think they still don't know that they're getting a tax cut effective January 1, which is one of the reasons we want to move ahead with this package of tax reforms.

I'd ask my honourable colleague again to compare what we are doing here in Ontario with what they're doing on Parliament Hill; they may have two or three weeks to deal with this important issue. I ask her to compare with what's happening in the province of British Columbia; they have yet to introduce their package of reforms there. We have done this nine months past. There have been extensive conversations, consultations and opportunities to become informed. I say to my honourable colleague that if she is so opposed to the HST, then why doesn't she stand up and commit right here to rescinding it?

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: My first question was, word for word, a question asked to the former Premier, Ernie Eves, by none other than Dalton McGuinty, MPP.

This week the Legislature was reduced to a farce because the Premier is scared to hear the views of everyday people on his unfair tax scheme. What would the Dalton McGuinty of 2002 say about that?

Hon. Dalton McGuinty: My colleague and I just happen to see things differently on this score. I think there has been ample opportunity for debate. There have been over 160 occasions created by members of the government—MPPs—to connect with the people in their ridings around the province to get a better understanding of their views and give them a sense of what in fact is happening through our package of tax reforms. Add to that, I'm sure, at least 40 opportunities created by the opposition, and you're talking about over 200 separate opportunities to engage Ontarians when it comes to the matter of the HST and our package of tax reforms.

We have always said that this is a difficult initiative, and that is why the other two parties chose not to do it. But sometimes you have to do things even when they are not easy. Sometimes you have to make difficult decisions in order to create 600,000 more jobs, and that's what this is all about.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The right decision would be to have the people of this province get an opportunity to speak to their government. That's the right thing to do. But tomorrow, or, more accurately, I guess, later tonight

when the clock strikes midnight, one single day of hearings will begin on this government's unfair tax scheme.

My question is this: Is the Premier willing to consider additional hearings, or will people of this province be forced to depute at 2 o'clock in the morning?

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

Interjections.

The Speaker (Hon. Steve Peters): Start the clock. Premier?

Hon. Dalton McGuinty: My understanding is that through discussions with House leaders, we in fact offered more time for committee hearings. Speaker, you will know that the opposition scuttled two question periods. They also said they were not prepared to accept more committee time.

Speaker, you've ruled on this, and we accept that ruling, that we're going to have committee hearings after midnight. I think it will be a little hard on families to have to engage in those kinds of things, but so be it. If that's what the opposition wants to do, we will willingly participate in that.

The point I want to continue to make, though, is that we've had an opportunity now for nine months of public conversation and discussion about a very important package of tax reforms. It's an important package. It particularly speaks to securing a bright future for our children. Experts have told us we're talking about creating some 600,000 more jobs and eliciting \$47 billion more by way of investment and new business. We think that's worth going ahead with.

TAXATION

Ms. Andrea Horwath: My question is to the Premier. Over the last week the people of Ontario have seen a heck of a lot of pigheaded behaviour around here, and frankly, the people of Ontario deserve better. They sent us here and we have a responsibility to listen to, respect and reflect their views. Does the Premier think it is respectful to force people to depute in the middle of the night?

Hon. Dalton McGuinty: My honourable colleague knows that is not a position that we put forward. It's one that was put forward by the opposition. They have deemed that to be an appropriate approach. Speaker, you've ruled on that and we accept that. So be it.

Again, we offered more committee time to be held during regular time, a time that was more convenient for our families and businesses. That was rejected by the opposition.

We look forward to moving ahead with this bill. We look forward to putting in place those tax cuts that take effect on January 1. But most importantly, we look forward to creating 600,000 more jobs over the course of the next 10 years.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: This Premier knows very well that the government can put those extra hours of hearings

on another day. That's what we've been pushing for, for days and days and days now in this Legislature: a respectful hearing process for the people of this province.

The Premier's tax scheme is a significant change, and he even says so himself. Every single person in this province will be affected. The people have a right to have their voices heard, to have their views heard. Instead, all they've seen this week is government that arrogantly ignores all of their views and makes a mockery, frankly, of the democratic process.

Has the Premier grown so arrogant and so distant from the people who sent us here that he's unwilling to reconsider his plans?

Hon. Dalton McGuinty: My colleague knows that discussions with respect to the time allocated to these kinds of things is done through the House leaders. She's very much aware of the events that have unfolded during the course of the past few days, and I'm sure she's very much aware of our offer for more committee time. I'm sure she's aware of the position that we took, which was that we thought it was inappropriate to bring families to the Legislature at midnight or 3 o'clock in the morning.

I think she's also aware that this debate has gone on for nine months now. I think she's aware that our package of tax reforms is supported by poverty groups and business groups and by economists on the left and on the right. I think she knows fundamentally that this is about doing something which is not easy but which is important for us to do together, which is about creating 600,000 more jobs. It's about building a stronger Ontario.

Interjections.

Hon. Dalton McGuinty: My friends ridicule that, but they don't have a plan.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The Premier can play this game all he wants, but everybody knows that debate on this bill started just a couple of weeks ago, and much of that debate has been shut down, unfortunately.

The Legislature is supposed to actually represent something, but the Premier's intransigence has allowed it to turn into antics: no debate, no consultation. It has just been a circus around here for the last couple of days. In the meantime, everyday people who just want to be heard are told to come in the middle of the night. Has the Premier grown so arrogant and so out of touch—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Members will come to order, please.

Interjections.

The Speaker (Hon. Steve Peters): Minister of Economic Development.

Start the clock. Please continue.

1110

Ms. Andrea Horwath: My question is this: Has the Premier grown so arrogant and so out of touch, so certain that hundreds of thousands of people are wrong that he refuses to even listen to dissenting voices?

Hon. Dalton McGuinty: I will say that my honourable colleague has been very consistent in her opposition to the HST. But I would also add, in all humility, that beyond opposing, my colleague has a responsibility to propose. We have a plan on the table. It's not an easy plan to execute. There is some controversy connected with it and some resistance in some quarters. I understand that, I accept that and I respect that, but it's a plan to create 600,000 jobs. If my honourable colleague has another plan that she has been hiding of some kind to create 600,000 more jobs over the course of the next 10 years, then we'd love to hear about that, we'd love to learn something more about that, we'd love to be able to debate that and to share that with the people of Ontario. Until she does, I would argue that she lacks a certain amount of moral authority when it comes to putting forward opposition to our plan.

We're moving ahead with a plan for 600,000—

The Speaker (Hon. Steve Peters): Thank you. New question.

TAXATION

Mr. Robert W. Runciman: My question is for the government House leader and deals with committee schedules. Tourism and guide outfitters are part of the North Bay local economy, and your hometown is calling for public hearings into the HST. Councillor Judy Koziol says, "We're urging (the provincial) government to shelve the bill until there's been full consultation.... I believe that every resident deserves to be heard and there should be consultations in every riding."

As you know, Minister, we asked for hearings in just one riding outside of Toronto. Why wouldn't you hold one day of public hearings where the tourism sector, seniors, and people of your hometown, North Bay, could participate?

Hon. Monique M. Smith: To the Minister of Finance.

Hon. Dwight Duncan: My colleague from North Bay and my colleagues across Ontario have held numerous meetings with their constituents. Just this past Friday, I had the opportunity to speak at the chamber of commerce and take questions from the audience. Some of those questions were difficult. My colleague from North Bay has relayed to me the concerns of some of her constituents and has relayed to me the support of some of her constituents. She worked very hard with the tourism sector to accommodate some of their needs. In fact, we're investing an additional \$40 million into the tourism sector.

As the Premier has said earlier, this package is about creating jobs, it's about a brighter future for the people of North Bay, and it's about more jobs for the people of North Bay. Nobody more than the member from Nipissing has done a better job of bringing forth the views of all her citizens—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Robert W. Runciman: It's unfortunate that the minister didn't respond, because she had choices. She

could have stood with the people of her riding and the taxpayers of the province, like Bill Murdoch and Randy Hillier did, or shown contempt for them by ramming this record sales tax through without letting your hometown folks have their say. She could have honoured a promise that the Premier made not to raise taxes.

One day outside of Toronto for public hearings—that's what we asked for. Why, Minister, did your colleague make the wrong choice for the people of North Bay?

Hon. Dwight Duncan: Members of this caucus have in fact held meetings all over the province—even in your riding—where they have been invited to take questions, where they have taken questions. A very prominent citizen of North Bay has endorsed this package, a fellow named Mike Harris, as the Premier pointed out earlier.

Premier McGuinty laid out a plan some nine months ago. He urged his caucus and cabinet to go out across Ontario, to meet with people, to answer their questions, and we have done that. Now it's time to pass a plan that will create 600,000 jobs in Ontario, lower taxes for all Ontarians and, yes, as the leader of the third party said, do away with the kinds of antics we've been exposed to over the last—

The Speaker (Hon. Steve Peters): Thank you. New question.

PENSION PLANS

Mr. Paul Miller: My question is to the Acting Premier. The other day our leader raised the issue of Nortel paying out—

Interjections.

The Speaker (Hon. Steve Peters): Restart your question, please.

Mr. Paul Miller: I'm sorry. To the Deputy Premier—would that be sufficient? All right; to the Minister of Finance.

The other day our leader raised the issue of Nortel paying out \$7.5 million in bonuses to its senior executives, this at a time when thousands of Nortel workers are facing a 30% cut in their pensions with no help from the Ontario government. This government claims to have done what Quebec has done, but in fact it hasn't. The government hasn't guaranteed the current capital while at the same time allowing a sufficient period to manage the fund assets back into solvency. Why does this government do nothing as Nortel shovels money out the door to its senior executives and its workers get a 30% cut in their hard-earned pensions?

Hon. Dwight Duncan: As I indicated to the leader of the third party, I agreed with the comments the leader of the third party made the other day with respect to this. The member opposite will know that under the CCAA, or bankruptcy protection, Nortel remains an operating company and its pension plan remains subject to the Pension Benefits Act, which we did in fact amend before Quebec did. The amendments Quebec brought in reflect those amendments.

I'm aware of some recent concerns about lump sum or commuted-value withdrawals in the Nortel pension plan. Under court orders of June 1, 2009, Nortel will distribute future additional payments of commuted values from the pension plan at 69% rather than 86%. This is an enormously difficult issue. There are other pension challenges. This government is responding responsibly and listening and working with both the workers and others on these very important matters.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Paul Miller: It has been 12 months since the Arthurs commission delivered its recommendations on pension reform for this province. In those 12 months we've had one pension disaster after another: GM, Chrysler, Nortel, AbitibiBowater. The list goes on and on. This government promised to table pension reform in this Legislature in November but didn't. Will this pension reform legislation ever see the light of day in our province?

Hon. Dwight Duncan: Yes, I expect it will be any day now.

I do want to indicate that there was some interesting debate that went on in the federal House of Commons on November 2. In an exchange, the following was said: "The minister ... keeps insisting that he can do nothing because it is a provincial matter. He is wrong. The Bankruptcy and Insolvency Act is under federal jurisdiction and could provide recourse...."

"Companies can use federal bankruptcy laws to evade their debt to pensioners and instead pay off corporate creditors whose investments are likely insured anyway."

That is the federal NDP member for your riding, sir: Mr. Wayne Marston. He's right. This has a federal overlay. I would suggest that he and his colleague federally ought to get their act together.

POVERTY

Mrs. Carol Mitchell: My question is for the Minister of Children and Youth Services. This week marks a very important anniversary for our government's commitment to reduce poverty across Ontario. One year ago we committed to reduce the number of children living in poverty by 25% in five years. These are challenging economic times. The Ontario Association of Food Banks released a report yesterday saying that food bank use is increasing. Ontario families need more support. Can the minister please provide the House with an update about the status of our efforts to combat poverty in our province?

Hon. Laurel C. Broten: I'm very proud to tell the Legislature that this morning our first annual report on Breaking the Cycle: Ontario's Poverty Reduction Strategy was tabled in this Legislature—a historic moment here in Ontario. I assure you that we are on the right track. Despite challenging economic times, we are making real progress towards our goal of lifting 90,000 children out of poverty within five years. Much hard work lies ahead of us, but over the past year we have

made some very important steps. We've increased the Ontario child benefit to \$1,100 per child per year, two years ahead of schedule. We are also moving ahead to implement full-day early learning for four- and five-year-olds beginning in September 2010, with an investment of \$200 million and \$300 million in the following years. And through our harmonized sales tax, we are ensuring tax fairness for low-income families. Ninety thousand Ontarians—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

1120

Mrs. Carol Mitchell: Thank you, Minister, for the update on the annual report.

In the past few weeks there has been a lot of media coverage around the one-year anniversary of the poverty reduction strategy. One of the topics that has attracted a lot of attention in the media has been the proposed social assistance review. I have been hearing allegations that our government is not acting quickly enough on this. Minister, can you provide us with an update on when you will start the much-awaited social assistance review?

Hon. Laurel C. Broten: I know that the Minister of Community and Social Services would love to respond.

Hon. Madeleine Meilleur: Thank you very much for the question.

The review of the social assistance program is a very big task, and one that can only be accomplished with the support of those partners in the poverty community. That's why I am pleased to announce today the creation of an advisory group chaired by Gail Nyberg of the Daily Bread Food Bank. I would like to thank Gail and all of the advisory members for their ongoing commitment to improving the life of Ontario's most vulnerable. The group has been asked to create the scope of the review, followed by recommendations to remove barriers and increase opportunities for those who require assistance.

I look forward to working with the advisory group to help us tackle poverty. Again, thank you, Gail—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock for a moment, please.

I don't need help from my armchair Speakers who surround me in this chamber.

I was listening to that answer, and I would caution members, because that was sounding very much like a ministerial statement and an announcement being made through the form of a question.

I would remind the honourable ministers that the appropriate time to make announcements is not during question period but during the routine proceedings in the afternoon, under the title of ministerial statements.

TAXATION

Ms. Lisa MacLeod: My question is for the Premier. What do public hearings on the HST and a public inquiry into the billion-dollar Liberal health care boondoggle at eHealth have in common? It's the public.

We're wondering, on this side, why you are hiding from the public who have questions about your scandals and your tax grab.

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Sandra Pupatello: Hillier has eclipsed you, Lisa.

The Speaker (Hon. Steve Peters): Stop the clock. Withdraw the comment, please.

Hon. Sandra Pupatello: I withdraw, absolutely.

Hon. Dwight Duncan: Our government has endeavoured on all efforts to involve public opinion across Ontario for more than nine months since the introduction of the bill. I regret that yesterday, because of the opposition, we lost an hour of question period. I regret that a week ago Monday, we lost an hour of question period because of the tactics of the opposition. I regret that that member and her colleagues on the committee have moved the hearing times for the bill—the important public hearings—until midnight tonight. That's all unfortunate.

But the member opposite and her colleagues need to understand this government's absolute commitment to moving forward with creating 600,000 new jobs. It's the right—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Lisa MacLeod: The one thing that we all regret in this chamber is that you are in charge of the province, because, my goodness with the scandals and the tax grab, you're now known as Canada's worst government, and you've also become Canada's most secretive government.

We know, on this side of the House, that it's been a tough session for them. With the scandals at OLG, eHealth and the Windsor Energy Centre, he's got his hands in every pot, and now he's rushing to try and get away because of the \$3-billion tax grab. Despite a motion to extend sittings, you're in a race to ram through your record \$3-billion tax grab and to try to run away from your billion-dollar boondoggle.

We also know that the \$1 billion wasted at eHealth resulted in him throwing right under the bus two ministers, a deputy minister, the CEO, and a chair.

We want to know: Why are you throwing the Ontario public under the bus, and will you have the guts to hold public hearings outside of Toronto on eHealth?

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Order.

The honourable member made a comment during her question, a reference to a hand being in a particular place, and I would ask that that comment be withdrawn.

Ms. Lisa MacLeod: I'll withdraw.

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: I think Ontarians want their Legislature to move responsibly and productively. I think they see the importance of the debate which we have engaged in. I think they want a reasoned debate. I think they do want to have the opportunity to be heard. That's

why we've conducted some 160 hearings across the province involving our members, people who support the HST and others.

I think the people of Ontario really do regret this; they regret the fact that we've wasted, I think, some six hours now on stunts, and even the front row of that party understands the mistake they made.

It's important to move forward with this plan, which will create some 600,000 new jobs and lower taxes for all Ontarians. We will lead through this, unlike that member and her party.

POVERTY

Mr. Michael Prue: My question is to the Premier. I heard what the honourable ministers have to say, but I'd like to hear the Premier.

Today's report by the 25 in 5 Network for Poverty Reduction states: "The province runs a very real risk of falling short of its poverty reduction goal unless bolder action is taken, and soon."

Premier, 25 in 5 calls increases to the child benefit and minimum wage welcome but insufficient, and the implementation of the low-income dental plan long overdue.

Is the government still committed to reducing child poverty by 25% by the year 2013, the end of the five-year period, and will it act on the recommendations made today?

Hon. Dalton McGuinty: To the Minister of Children and Youth Services.

Hon. Laurel C. Broten: I'm very pleased to have an opportunity to speak to an issue which is of critical importance to our government and one that we have made headway on in the past year.

I want to provide the member opposite with a quote from Greg deGroot-Maggetti, the co-chair of the 25 in 5 network and poverty advocate of the Mennonite Central Committee, who just a few minutes ago said this in his press conference: "Let me start by stressing the importance of the poverty reduction strategy. The government launched the strategy just as the global recession rolled across Ontario, and that was precisely the time when we needed our government to work for us. So the fact that the government has moved forward with the poverty reduction strategy in the midst of the recession is significant, and in the first year of the poverty reduction strategy, the government has taken some very positive steps."

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Michael Prue: I was also at the press conference, and the next word was "however." The government has finally announced a social assistance review panel, but it will be another year before the review is complete. Most members of the panel have stated that immediate action is needed to make social assistance a hand up, including increased allowable asset levels and "decent and adequate incomes" as a stated outcome of the review.

My question: Will the government listen to the panel members, or will this review be another government-

controlled process like the closed-door poverty consultations last year?

Hon. Laurel C. Broten: To the Minister of Community and Social Services.

1130

Hon. Madeleine Meilleur: I thank the member for his question, and I can guarantee the member that it's going to be an open process.

I'm very proud of the people who have agreed to take on this responsibility. There has been a lot of work done internally by staff, and we have introduced changes this year. It will complete the review that was already started by staff. We will make sure that people have been heard and that their recommendations—because we're looking for recommendations—will be taken into consideration. I'm very excited about this task and this work that will be done, and we're looking forward to their recommendations.

FIREFIGHTERS

Ms. Helena Jaczek: My question is for the Minister of Community Safety and Correctional Services. Minister, firefighters perform a critical job and play a very important role in keeping Ontarians safe. They are outstanding individuals who take their duty very seriously. They have chosen a career that involves great personal risk to themselves: As everyone else is rushing away from a fire, they are the ones rushing in.

It is important, when firefighters are responding to a call, that they have the resources and training they need to be best protected while performing their duty. Firefighters should be able to feel confident that they are prepared as they work in dangerous situations. Would the minister tell us what our government is doing to help better protect Ontario's firefighters?

Hon. Rick Bartolucci: I want to thank the member for the question. As a former chief medical officer of health, she understands the importance that our firefighters bring to community safety. It's been said that a firefighter's first act of bravery is signing up; everything else is in the line of duty.

The men and women who are here today representing professional firefighters believe that. Our government chose to have a very, very open relationship with our firefighters. We chose to bring them in as a partner of community safety. That has led to very, very dramatic results and major change. There is better equipment. There is better training. We introduced presumptive legislation for firefighters who develop cancers and other related health conditions. Why? We did this because we listened to our professional firefighters—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Helena Jaczek: Minister, I'm pleased to hear that we're working with the OPFFA to help better protect Ontario's firefighters. Unfortunately, there are occasions when a firefighter has given their life in the line of duty. These tragic cases leave a mark, not only on the com-

munity where the firefighter lived, but also on all Ontarians. People from across the province come together to mourn and respect the act of bravery it takes to lay down one's life while attempting to save another. The Ontario Firefighters' Memorial honours all of those who have made the ultimate sacrifice in the line of duty.

You will recall that the memorial and the names of those brave firefighters etched on its columns was the target of an appalling act of vandalism in May 2008. What role did our government play in the restoration of the memorial?

Hon. Rick Bartolucci: Another important question. The Ontario Firefighters' Memorial is just steps away from this building. It is difficult to pass this memorial and not think of the brave firefighters who have paid the ultimate sacrifice. At the same time, this memorial reminds us of the dangers that these professional firefighters put themselves in on a regular basis.

After the outrageous and senseless vandalism, our government was proud to contribute \$150,000 towards having the memorial restored. I want to thank the Restoring Respect committee for the incredible work they did in establishing the rededication of this particular memorial. It is a testament to those who have passed on in the line of duty. It is a reminder of the bravery of these people every single, solitary day.

DRIVER EXAMINATION CENTRES

Mr. Robert Bailey: My question today is for the Minister of Training, Colleges and Universities. Minister, as you well know, the current labour dispute at the DriveTest centres is dragging into its fourth month. Your government has refused to take any action to get the centres back open. This is having a very real impact on truck driver training schools. Minister, truck driver training schools, like all private career colleges, pay a mandatory levy that goes into a training completion insurance fund. This fund is designed to make sure that if a private college goes bankrupt, the student is protected. How much money is in that fund today?

Hon. John Milloy: To the Minister of Labour.

Hon. Peter Fonseca: I thank the member for the question. I understand the member's frustration, and I can empathize with those who are being inconvenienced by this work stoppage.

The parties, over the last couple of weeks, have had an opportunity to assess their positions and the other party's position. Through our mediation department, through our mediators at the Ministry of Labour, we are encouraging the parties to get back to the table. We know that the collective bargaining process is the best process. It is the most productive and provides for the best agreements for short-term and long-term stability.

We will continue to work with the parties through the Ministry of Labour so that they can get a collective agreement that is right for both parties.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert Bailey: That rendition was all very well and good, but my question was to the Minister of Training, Colleges and Universities, and I hope he'll answer it.

Minister, this is a very troubling question, the situation about this fund. I understand that there have been three draws on the fund, leaving it almost empty. The industry is rife with rumours that a large school is about to ask for a draw, which would completely bankrupt this fund.

Your government is not doing anything to get the DriveTest centres back open. It's your responsibility, not the industry's, to make sure these students are protected. Minister, when will you and this government step up to the plate and make sure that the students caught in this stuff are protected?

Hon. Peter Fonseca: The member talks about responsibility, and he's right. It is the responsibility of the employer and the trade union to come to the table, to work through their differences and to get a collective agreement done. Through the Ministry of Labour, our mediators are there to assist; they have been assisting. I know that the parties are assessing their positions. We encourage them to get to the table, to resolve their differences, so that those who are being inconvenienced—and we do understand that many are being inconvenienced across the province—can get on with getting their licences and getting on the road and being able to drive.

MANUFACTURING AND FORESTRY SECTOR JOBS

Ms. Andrea Horwath: My question is to the Premier. The jobs crisis in northern Ontario continues, and this government doesn't have the slightest idea what to do about it. The latest shoe to drop? Sysco Corp. has announced it is closing its Sturgeon Falls warehousing facility and throwing over 100 people out of work. This is devastating news for a small community that has already been crippled by forestry job losses.

My question is a simple one: When will this government get off the sidelines and actually do something for hard-hit communities like Sturgeon Falls?

Hon. Dalton McGuinty: To the Minister of Northern Development and Mines.

Hon. Michael Gravelle: I appreciate the question. We are very conscious of the challenges being faced in northern Ontario, particularly relating to the forestry sector. Therefore it's a good opportunity for me to be able to tell the leader of the third party and all members about the decision that we made last week to open up a competition for wood supply in the province of Ontario. Eleven million cubic metres have been opened up in terms of opportunities for existing industry and new entrants to bring forward proposals. We want to put Ontario's wood to work, and this is going to provide us with that opportunity.

I can tell you that there's a great deal of excitement about these opportunities. In fact, may I say, this is something that the third party has been calling on us to do for some time. We are very pleased with the fact that

we opened it up. It's a big competition and it's going to put people back to work, create jobs in northern Ontario and make a real difference. We're very excited about it.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: That measure doesn't deal with the severity of the problem that we're seeing in northern Ontario. Sturgeon Falls is simply one example. Across the north, 40,000 jobs have been lost in the forestry industry alone, and each one of those lost jobs cost at least two additional service jobs. When these good-paying, community-sustaining jobs are lost, there's a tragic trickle-down effect. Schools close, Main Street businesses are shuttered and families are forced to move away from friends and loved ones.

How many more northern Ontario communities have to be economically and socially gutted before this government finally takes action that makes a difference for them?

1140

Hon. Michael Gravelle: In some ways, I'm startled by the response, in light of the actions our government is taking. For one thing, there's no question in terms of the benefits the HST will bring to the forestry and mining sectors. It's significant. It's huge—at least \$15 million. Corporate income tax cuts, again, will be of great help to the forestry sector and the mining sector, let alone the fact that we have got the northern Ontario heritage fund—

Mr. Mike Colle: That they wanted to cut.

Hon. Michael Gravelle:—which you wanted to cut. Our government has increased the funding for that. We're up to \$80 million this year, creating thousands of jobs in northern Ontario in a variety of ways for the community sectors.

Mr. Howard Hampton: We're going to send this transcript everywhere.

Hon. Michael Gravelle: I hear the member from Kenora—Rainy River going on as well, and I appreciate the fact that—

Mr. Mike Colle: He was the one who was going to kill it.

Hon. Michael Gravelle: Exactly. We are very excited about the opportunities that the HST will bring to the sector; there's no doubt about that. The cuts to corporate taxes for forestry and mining, the northern Ontario heritage fund and a number of other initiatives, including the wood supply competition—we're putting Ontario's wood to work, creating jobs for new—

The Speaker (Hon. Steve Peters): Thank you. New question.

AMATEUR SPORT

Mr. Wayne Arthurs: My question is for the Minister of Health Promotion. I'm really pleased to ask this good-news question of you—an update. I would have loved to ask it yesterday, but that opportunity didn't present itself.

Now that Ontario has been awarded the 2015 Pan Am Games, we know there's much work to be done to ensure

we are ready to host a successful event. It was reported that the University of Toronto at Scarborough will see a major new facility built there, and that other sporting events will be using further venues in Durham region.

Can the minister please tell us what steps the government is taking to ensure that these Pan Am Games are going to be an overwhelming success, and how Scarborough and Durham will play an important part in these games?

Hon. Margaret R. Best: First of all, I would like to take this opportunity to thank my colleague the member from Pickering—Scarborough East for his hard work in Pickering—Scarborough East and for the question.

The 2015 Pan Am Parapan Games will bring approximately \$700 million worth of investment in sport infrastructure to the greater Golden Horseshoe area. In fact, this investment in the games will create approximately 15,000 new jobs. It will attract up to 250,000 tourists and bring 10,000 athletes and officials to our great province of Ontario.

But it's not just about infrastructure legacy. It's about all the goodwill this will generate and the fact that this will put Ontario on the map in terms of sports infrastructure and development. In fact, Scarborough stands to gain the Canadian Sport Institute Ontario, to be located at the university—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Wayne Arthurs: Minister, thank you for that response. As the member for Pickering—Scarborough East, I'm excited about the opportunities that are presenting themselves. Thank you for highlighting how my riding and the region are going to benefit from the 2015 Pan Am Games.

The games also bring thousands of the best athletes in America to Ontario. As the home team, we want to make sure our athletes perform the best they possibly can to bring home the medals. Minister, can you please tell this House what our government is doing to support high-performance athletes so they can perform to their full potential in these international games?

Hon. Margaret R. Best: I will continue by saying that both Scarborough and Durham will benefit long after the Pan American closing ceremonies in 2015, as will the rest of the Golden Horseshoe.

On the international stage, we want to ensure that our athletes are the best-trained and supported on the track, in the pool or on the courts. That is why, between 2003 and 2009, the McGuinty government increased support for amateur sport by 166%. This government supports our high-performance athletes and coaches as they train for international competition through our ministry's Quest for Gold program. In fact, I received two letters from Quest for Gold recipients just today, telling us how much the Quest for Gold has benefited them. Since 2006, we have provided \$42 million to this program. This has contributed—

The Speaker (Hon. Steve Peters): Thank you. New question.

SCHOOL FACILITIES

Mr. Ted Arnott: My question is for the Minister of Education. Why is the minister standing idly by while the students of McKenzie-Smith Bennett public school in Acton are losing their playground?

Hon. Kathleen O. Wynne: I understand that the member opposite's question has to do with local decisions about how facilities are allocated and the decisions that school boards have to make about how to use their facilities to best advantage. At the core of that is a question that school boards have to answer about providing the best program for their students. They have decisions that have to be made about schools that are less than full; they have decisions about building new schools. In doing that, they have to rationalize the use of their property. That's what the local school board is doing—

Hon. James J. Bradley: They don't want that dictated from Toronto.

Hon. Kathleen O. Wynne: You don't want a minister at Bloor and Bay—at Bay and Wellesley; where is that office?—making a decision about a small community or even a suburban community and its schools. You want that decision made by the local school board.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Arnott: The minister cannot escape her personal responsibility in this matter. School boards are making decisions based on policies and directives from the minister's office. In this case, the ministry policy is being interpreted to compel the Halton District School Board to declare the playground to be surplus land in order to sell it and then use the proceeds to build new schools in other communities.

I've written multiple letters to the minister on this, I've raised it in the Legislature and I've spoken to the minister many times directly. Is the minister really prepared to ignore our intervention, that of the mayor and council of the town of Halton Hills, the region of Halton, the school council, the outstanding community support for the playground, and the 5,000 people who have signed a petition demanding that it be saved?

Hon. Kathleen O. Wynne: The member opposite knows I have spoken to the mayor. I really believe that a good, local community process is very important in these decisions. There need to be plans that include school boards, municipalities and other community agencies. In fact, the member opposite knows full well that in this year, we've introduced a partnership policy into the school board system that would require school boards to work with their partners and have a plan that all of the partners, including municipalities, would know about well in advance, so that if there's space that's going to be surplus and they have an opportunity to use that space, they will be able to talk with the school board about that.

But I go back to the fundamental principle, which is that local school boards need to be working in their communities to make the decisions regarding school facilities and school properties. That is not a decision that

you want made at the ministry level, at the provincial level; you want that to be a local community decision. The provincial government can—

The Speaker (Hon. Steve Peters): Thank you. New question.

HIGHWAY 407

Mr. Peter Tabuns: My question is for the Minister of Transportation. For weeks, the Toronto Star has been showing how Ontario drivers are being taken to the cleaners by the Highway 407 toll company. Billed incorrectly, charged sky-high interest rates, pursued for 15-year-old charges, even stripped of their driver's licences, Ontario's drivers are incensed and want action. Why did the minister sell out Ontario's drivers in the 2006 settlement with 407 ETR?

Hon. James J. Bradley: As you would know, it's exactly the opposite. When your NDP government decided to embark on this trail of the privatization of Highway 407 when in power—I know you were supporting the NDP at that time—you will recall that that started us down a path where the Conservative government, in desperation, wanting to show a balanced budget, almost gave away the 407 to the 407 corporation. The deal was ironclad. I'm going to tell you, that company had to be completely happy with that deal. We went to court as a government in the year that the member mentioned, 2005, to fight against this, and the court ruled in favour of the deal that the Conservatives had set up.

So we have a Conservative government that signed the deal and a court that confirmed it. I'm with the member in being highly—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Peter Tabuns: The history is an interesting diversion. The reality is that this government issued a press release in 2006 talking about the wonderful deal that it had settled with 407 ETR and talking about protection for drivers, and in fact what it did was sell drivers down the river. This government abandoned its responsibilities. When is it going to take back the initiative and actually act to protect drivers?

Hon. James J. Bradley: The member is usually a member, I know, who doesn't provide wrong information. He's usually pretty accurate in this House, and I know he's usually fair-minded.

1150

The problem is, our government went to court over this matter. We were criticized by some saying, "Why would you bother with this? It's an ironclad guarantee." But we went to court on behalf of the people of Ontario that use Highway 407. Not only did the court rule in favour of the deal that was signed between the Conservative government and 407 corporation, they also denied our government the opportunity to appeal, because we would like to have appealed.

I know, in hindsight, the member has lots of solutions, but I think the whole history of the 407 commends itself to those—

The Speaker (Hon. Steve Peters): Thank you. New question.

AIDS TREATMENT

Mr. David Zimmer: My question is for the Minister of Health and Long-Term Care. One of the most significant issues during our lifetime has been the spread of HIV/AIDS and how it has affected millions of people across the planet. Yesterday was World AIDS Day. This year, the theme is of “Universal Access and Human Rights,” which will highlight and underscore the importance of understanding HIV/AIDS from a human rights perspective. I think we can all agree that the elimination of HIV/AIDS is of utmost importance.

In Ontario alone, this disease will claim or has claimed 9,000 Ontarians. My question for the minister: What is our government doing to prevent the spread of HIV/AIDS and to support people living with HIV/AIDS?

Hon. Deborah Matthews: World AIDS Day is a solemn reminder to all of us of the lives lost to AIDS in this province and around the world, but it's also a time to consider our shared hope—hope for better prevention, hope for better treatment, now and in the future, for those living with the disease in Ontario, in Canada and around the world.

Ontarians are now able to live with HIV/AIDS. In fact, about 27,000 people across the province are doing exactly that. With a stronger provincial support system, Ontarians now have access to better HIV/AIDS medications, to better community-based AIDS education programs; people now have better access to anonymous testing and to outpatient clinics.

In this fiscal year, I'm very pleased to say, we're increasing our investment by \$1.68 million to community-based AIDS/HIV prevention—\$1 million of that earmarked for women—

MEMBERS' PRIVILEGES

Ms. Sylvia Jones: On a point of order, Mr. Speaker: I believe that according to standing order 21(c), my privileges as an MPP and the PC critic for community and social services had been breached because the minister made a statement during—

The Speaker (Hon. Steve Peters): If you're going to raise a point of privilege with the Speaker, there is a process that needs to be followed. You need to file a letter with the Speaker outlining your point of privilege, and I will be happy to review it.

Mr. Frank Klees: On a point of order, Mr. Speaker: I would like clarification on that. It's my understanding, according to the standing order, that if a point of privilege arises as a result of the proceedings, that that point of privilege can be made directly to you and does not have to be put in writing.

The Speaker (Hon. Steve Peters): I will stand corrected, and the interpretation is correct.

I would say to the member from Dufferin-Caledon that I too noted during question period that it very much sounded to me as a ministerial statement, and I took the minister to task for that and said that it should have been.

Again, I would just urge caution to all ministers because we get into situations like this, and the members of the opposition, the duly appointed critic from Her Majesty's loyal opposition should rightly be given an opportunity to respond to a ministerial statement, and I will recognize the member from Dufferin-Caledon.

Ms. Sylvia Jones: On this same point, Speaker: Because you ruled like that, if you don't call for her to ask for a ministerial statement today and allow me the five-minute response, we will continue to see this activity on behalf of the government. I am concerned that we have to stop it today and demand that she do that ministerial statement during today's proceedings.

The Speaker (Hon. Steve Peters): I thank the honourable member.

The member from Beaches-East York.

Mr. Michael Prue: You said the “official opposition.” I think, Mr. Speaker, with the greatest of respect, the third party has the same privilege. I would echo what the member has just said. We will be prepared to make statements today, should the minister actually make a statement during the appropriate time.

The Speaker (Hon. Steve Peters): I thank the honourable member from Beaches-East York. Yes, when I was responding, I was speaking directly to Her Majesty's loyal opposition. I do not lose sight of the role that the third party plays in this House as well of keeping the government accountable.

Mr. John Yakabuski: We demand an apology.

The Speaker (Hon. Steve Peters): I'd just ask the member from Renfrew to please come to order.

As I have ruled in the past, I cannot compel a minister to make a ministerial statement, but I will again remind members that, on issues, it would be best for statements to be made within the chamber.

With that, I believe I have some reading to do here.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a number of deferred votes.

First we have a deferred vote on government notice of motion 166 on time allocation of Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches.

Call in the members. This will be a five-minute bell.

The division bells rang from 1156 to 1201.

The Speaker (Hon. Steve Peters): All in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Duncan, Dwight	Naqvi, Yasir
Arthurs, Wayne	Flynn, Kevin Daniel	Oraziotti, David
Balkissoon, Bas	Fonseca, Peter	Pendergast, Leeanna
Bartolucci, Rick	Gerretsen, John	Phillips, Gerry
Bentley, Christopher	Gravelle, Michael	Pupatello, Sandra
Berardinetti, Lorenzo	Hoskins, Eric	Ramal, Khalil
Best, Margaret	Jaczek, Helena	Ramsay, David
Bradley, James J.	Jeffrey, Linda	Rinaldi, Lou
Broten, Laurel C.	Johnson, Rick	Ruprecht, Tony
Brown, Michael A.	Kwinter, Monte	Sandals, Liz
Cansfield, Donna H.	Lalonde, Jean-Marc	Sergio, Mario
Caplan, David	Leal, Jeff	Smith, Monique
Carroll, Aileen	Matthews, Deborah	Sorbara, Greg
Chan, Michael	Mauro, Bill	Sousa, Charles
Colle, Mike	McMeekin, Ted	Takhar, Harinder S.
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dickson, Joe	Millroy, John	Wynne, Kathleen O.
Dombrowsky, Leona	Mitchell, Carol	Zimmer, David
Duguid, Brad	Moridi, Reza	

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted	Jones, Sylvia	Runciman, Robert W.
Bailey, Robert	Klees, Frank	Savoline, Joyce
Barrett, Toby	MacLeod, Lisa	Shurman, Peter
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Dunlop, Garfield	Martiniuk, Gerry	Tabuns, Peter
Elliott, Christine	Miller, Norm	Witmer, Elizabeth
Hampton, Howard	Munro, Julia	Yakabuski, John
Hardeman, Ernie	O'Toole, John	
Hudak, Tim	Ouellette, Jerry J.	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 25.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a deferred vote on government notice of motion 168 on time allocation of Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act.

Call in the members. This will be a five-minute bell.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Same vote? Agreed? I heard a no.

The division bells rang from 1205 to 1210.

The Speaker (Hon. Steve Peters): Mr. Bartolucci has moved government notice of motion number 168. All those in favour, please rise and be recorded by the Clerk.

Ayes

Albanese, Laura	Duncan, Dwight	Naqvi, Yasir
Arthurs, Wayne	Flynn, Kevin Daniel	Oraziotti, David

Balkissoon, Bas	Fonseca, Peter	Pendergast, Leeanna
Bartolucci, Rick	Gerretsen, John	Phillips, Gerry
Bentley, Christopher	Gravelle, Michael	Pupatello, Sandra
Berardinetti, Lorenzo	Hoskins, Eric	Ramal, Khalil
Best, Margaret	Jaczek, Helena	Ramsay, David
Bradley, James J.	Jeffrey, Linda	Rinaldi, Lou
Broten, Laurel C.	Johnson, Rick	Ruprecht, Tony
Brown, Michael A.	Kwinter, Monte	Sandals, Liz
Cansfield, Donna H.	Lalonde, Jean-Marc	Sergio, Mario
Caplan, David	Leal, Jeff	Smith, Monique
Carroll, Aileen	Matthews, Deborah	Sorbara, Greg
Chan, Michael	Mauro, Bill	Sousa, Charles
Colle, Mike	McMeekin, Ted	Takhar, Harinder S.
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Dickson, Joe	Millroy, John	Wynne, Kathleen O.
Dombrowsky, Leona	Mitchell, Carol	Zimmer, David
Duguid, Brad	Moridi, Reza	

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted	Jones, Sylvia	Ouellette, Jerry J.
Bailey, Robert	Klees, Frank	Runciman, Robert W.
Barrett, Toby	MacLeod, Lisa	Savoline, Joyce
Bisson, Gilles	Marchese, Rosario	Shurman, Peter
Dunlop, Garfield	Martiniuk, Gerry	Sterling, Norman W.
Elliott, Christine	Miller, Norm	Tabuns, Peter
Hampton, Howard	Munro, Julia	Witmer, Elizabeth
Hardeman, Ernie	O'Toole, John	Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 24.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

TECHNICAL STANDARDS AND SAFETY STATUTE LAW AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX NORMES TECHNIQUES ET À LA SÉCURITÉ

Deferred vote on the motion for third reading of Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996 / Projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Same vote. Agreed?

Interjections: No.

The division bells rang from 1213 to 1218.

The Speaker (Hon. Steve Peters): Mr. McMeekin has moved third reading of Bill 187. All those in favour, please rise and be recorded by the Clerk.

Ayes

Albanese, Laura	Duncan, Dwight	Naqvi, Yasir
Arthurs, Wayne	Flynn, Kevin Daniel	Oraziotti, David
Balkissoon, Bas	Fonseca, Peter	Pendergast, Leeanna

Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Best, Margaret
Bradley, James J.
Brotan, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Crozier, Bruce
Delaney, Bob
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad

Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Matthews, Deborah
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol
Moridi, Reza

Phillips, Gerry
Pupatello, Sandra
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smith, Monique
Sorbara, Greg
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wynne, Kathleen O.
Zimmer, David

of Ontario. I would like an explanation of where the Speaker's power is derived from in ignoring standing order 20 and standing order 28 with regard to your decision to let me vote in another seat of this Legislature. This is important from a point of view of the Speaker taking the liberty to ignore standing orders that are in place in order to resolve a problem that arose in the Legislature. Mr. Speaker, it may have made rational sense to do what you did, but on the other hand, we must be concerned that the standing orders which you are charged to put in place are adhered to.

The Speaker (Hon. Steve Peters): I thank the honourable member for his point of order and I reserve my decision on it.

There being no further business, this House stands recessed until 3 this afternoon.

The House recessed from 1224 to 1500.

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Dunlop, Garfield
Elliott, Christine
Hampton, Howard
Hardeman, Ernie
Hudak, Tim

Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Tabuns, Peter
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 25.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

NOTICES OF DISSATISFACTION

The Speaker (Hon. Steve Peters): Pursuant to standing order 38(a), the member for Sarnia-Lambton has given notice of his dissatisfaction with the answer to his question given by the Minister of Training, Colleges and Universities concerning bankruptcy of the training fund. This matter will be debated today at 6 p.m.

Pursuant to standing order 38(a), the member for Leeds-Grenville has given notice of his dissatisfaction with the answer to his question given by the Minister of Finance concerning public hearings on Bill 218. This matter will be debated today at 6 p.m.

Pursuant to standing order 38(a), the member for Wellington-Halton Hills has given notice of his dissatisfaction with the answer to his question given by the Minister of Education concerning the McKenzie-Smith Bennett public school in Acton. This matter will be debated at 6 p.m. today.

VOTING

Mr. Norman W. Sterling: On a point of order, Mr. Speaker: I'm very, very concerned with a ruling you made two or three days ago in this Legislature and the precedent that it creates in the future of this Legislature

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): I'm going to take this opportunity to welcome in the west members' gallery Debbie Thompson, who is the reeve of the township of Stone Mills, and Todd Steele, the deputy reeve of the township of Stone Mills. They're down here today to support Olivia Hughes, one of our pages.

Welcome to both of you, and enjoy your visit to Queen's Park.

MEMBERS' STATEMENTS

TAXATION

Ms. Sylvia Jones: I would like to take this opportunity to speak out against the harmonized sales tax that the McGuinty Liberals are imposing on Ontario families. This shameful tax grab will mean that Ontario families will lose more of their hard-earned income. The HST means that Ontarians will be stuck paying more for essential services such as home heating.

What the McGuinty Liberals are doing is inexcusable. What they are saying is that they don't care about Ontario's average taxpayers.

The consequences of the HST are being felt across Ontario, including in my riding of Dufferin-Caledon.

Home renovations will be subjected to the HST. The consequences of this are enormous. Ontario families that want to renovate will struggle to pay the extra costs. This will mean a thriving underground economy where illegal contractors are not subjected to the HST. This will mean loss of sales, or even bankruptcy, for many legitimate contractors who are forced to pay the HST.

The federal government has introduced a home renovation tax credit to support families and the economy. Yet, the HST shows that the Liberal government doesn't care about either. The HST will not benefit On-

tario families or taxpayers. The McGuinty Liberals need to stop this shameless tax grab before it begins.

FIRE SAFETY

Mr. Mario Sergio: Tomorrow I will be debating my private member's bill, Bill 214, An Act to amend the Fire Protection and Prevention Act, 1997. Countless deaths have instigated three coroners' inquests to recommend making sprinklers mandatory in specific care occupancies. Our government did the right thing and mandated that all care homes built after 1997 have sprinkles installed.

What about those seniors who live in older buildings? Why are their lives put at risk? Those are our mothers, our fathers, our family and our relatives. This year alone the province lost four seniors in two separate fire incidents.

Bill 214 has wide support from the Ontario Association of Fire Chiefs, the municipal fire chiefs' association, the Ontario Municipal Fire Prevention Officers Association, as well as the endorsement of a number of seniors' organizations all over Ontario.

I'm looking forward to the debate tomorrow afternoon, and I'm honoured that this Legislature will be filled with fire chiefs from around Ontario who will have made the commute to support this particular bill.

At the present time, we have in Ontario two systems of care occupancy: one with a sprinkler system and one without. I hope that we can move closer to providing safety and peace of mind to our seniors.

GENERAL MOTORS OF CANADA

Mr. Jerry J. Ouellette: I'm pleased once again that General Motors Oshawa has been recognized as one of the most efficient and best-quality car assembly plants in the world, with the announcement of the all-new 2011 Buick Regal being produced at the Oshawa assembly plant. This is a testament to the dedication and hard work of the employees from General Motors Oshawa.

There will be a tremendous impact on our community as the extra shift will be added and approximately 600 laid-off employees will be recalled to produce the new Buick. I'd like to congratulate the work of the Canadian Auto Workers and General Motors for securing this agreement to have the Buick Regal built in Oshawa. I want to thank the engineers and the marketing personnel at General Motors who secured the advanced design technology and performance capabilities of this vehicle for the North American market.

This is definitely not your grandfather's Buick. This exciting, new, European-inspired sports sedan is based on the GM award-winning 2009 European Car of the Year. The Buick Regal is the second new car to be built on the new state-of-the-art flex manufacturing line.

Congratulations to General Motors for moving forward with innovative, fuel-efficient, high-quality new vehicles and building them right here in Ontario. Once again, great things are starting to happen in Oshawa.

PENSION PLANS

Mr. Paul Miller: I couldn't help but be enraged when I heard about the obscene payouts that Nortel executives have given themselves. How these people can even look at themselves in the mirror every day is beyond any decent person's comprehension. Sadly, they're not alone in this scandalous behaviour.

In my riding of Hamilton East-Stoney Creek, my former employer, US Steel, laid off all but a bare skeleton of workers and moved not only Canadian raw materials but Canadian jobs to the States. Although I'm glad that many Canadian workers have been recalled to work, as I've said before, this is only to stave off the cost of severance pay. I fear the long-term goals of US Steel.

Our sisters and brothers at the Lake Erie Works plant in Nanticoke have been locked out for many months in a dispute with US Steel, with a very dim outlook. Like so many foreign owners of our Canadian industries, as soon as the going gets tough, they grab whatever they can get—money the government gives them to keep operations in Ontario and Canada—and run back home, taking our jobs and our livelihoods with them.

The steelworkers at Vale Inco in Sudbury are all too familiar with this scenario as they face their daily trek to the picket lines of this strikebreaking, union-busting foreign owner.

I can't imagine how the Nortel injured workers must have felt when they discovered that their long-term disability plan was actually being paid by Nortel and not by an insurance carrier. Now they face an uncertain future with real fear that they will not be able to afford their medications, while Nortel executives pay themselves for driving this once-thriving company and its employees into the ground.

The province needs to enact legislation that will guarantee real long-term illness insurance, a real backstop for the pension benefits guarantee fund and a system like Quebec's, whereby the province takes over an at-risk pension fund, guarantees the bottom line and actively—

The Speaker (Hon. Steve Peters): Thank you.

MEHRUB RAHMAN

Mr. Lorenzo Berardinetti: I rise to speak about Mehrub Rahman, a Bengali writer, poet, actor, journalist and community activist. Mehrub is his pen name, which in Arabic means a sacred place or platform to disseminate information.

Mehrub came to Canada five years ago and has quickly assimilated into the mainstream society here in Toronto. He has a regular day job, but his evenings and weekends are spent working in the community as a writer, poet, actor and journalist. He's a graduate of the University of Dhaka, but Mehrub has always had an attraction to the literary world. He started writing poetry in grade 9, with his first literary magazine published in grade 10. In the years that followed, his works appeared in many national dailies. He's often been recognized for

reciting poems of Bangladesh's revered national poets. It is little wonder that in 1971, Mehrub joined the Bangladesh liberation war as a freedom fighter.

Mehrub has published three poetry books and four anthologies, one in English. In early 2010, another three books of poetry and a book of short stories will be published.

Recently, I had the distinct honour of attending the Bengali community's poetry reading in tribute to Mehrub's literary works and the launching of one of his poetry books, *Ami Krito Das*, which means "slave."

I join with the entire Bangladeshi community in recognizing and paying tribute to Mehrub Rahman, a literary icon in our very own community.

TAXATION

Mr. Ted Chudleigh: 'Tis a few days till Christmas and all through the land,

The people are worried and can't understand,

Why in this year of recession and fear,

On top of it all new taxes appear.

We must have been naughty to deserve such a fate,

Those consultants at eHealth, they must have been great.

They got our millions, we got this tax,

This unwanted burden on taxpayers' backs.

Little Bobby was dreaming of a brand new bike.

Too bad, little Bobby, there's a giant tax hike.

Little Suzie was hoping for a pretty new doll.

No dice, Little Suzie, can't afford that at all.

For the new HST is well on its way,

With no chance for the people to have their own say,

Imposed from above by McGuinty the Grinch,

Who will add extra squeeze to our financial pinch.

All we want this Christmas is real consultation,

Some questions and answers and real explanation

Of how the new tax will affect families' lives,

How to brace for the hurt when it finally arrives.

Dear Santa, can you bring us in your bagful of toys

A Premier who listens before he destroys?

If that's too much to ask, a request too immense,

At least bring the Premier some economic sense.

1510

FUNDRAISING

Mr. Charles Sousa: I rise today to speak about a wonderful initiative underway in the riding of Mississauga South. 'Twas the Bite Before Christmas is a community-wide campaign to raise food and funds for the Mississauga Food Bank and the Compass Food Bank. Unfortunately, more families and children are in need this holiday season. I'm proud to say that south Mississauga has come together to help by organizing a number of fundraising events, including the highlight: a 500-person benefit dinner on December 10 at the Oasis banquet facility.

My staff have also initiated and collected an overwhelming number of donations for a holiday turkey drive to help feed many families. Mississauga is fortunate indeed that so many caring individuals have come together to assist. For example, non-perishable food items are being accepted and collected by neighbourhood businesses throughout the community. As is often the case in Mississauga South, this campaign is a result of the selfless hard work and dedication of many generous volunteers and sponsors.

In particular, I'd like to thank Ron Lenyk, a long-time volunteer and community leader; Ellen Timms of the Port Credit BIA; Dan Meadowcroft, a lead volunteer and organizer of this and many other community campaigns; Frank Bailey, a graphic artist; Andrew Briggs, from the Compass Centre and food bank; Christopher Hatch, executive director of the Mississauga Food Bank; and my entire staff.

All proceeds—100%—from the campaign will go directly to our Mississauga food banks. People are welcome to get involved by contacting the Port Credit BIA. Together, in the spirit of Christmas giving, we can make this a brighter holiday for all.

UNIVERSITY FUNDING

Mrs. Liz Sandals: Last week, I had the pleasure of attending the groundbreaking for the Environmental Cluster at the University of Guelph, which, through the knowledge infrastructure program, received funding totalling over \$33 million, with Ontario and Canada each contributing \$16.8 million. With this funding, the University of Guelph is refurbishing the 50-year-old Axelrod Building to create a cutting-edge teaching and research centre that will serve as the hub for the university's environmental sciences programs. The building will house the newly formed School of Environmental Sciences and related programs at the Ontario Agricultural College and the School of Engineering.

Researchers will help us understand environmental issues such as climate change and support the development of a greener, more innovative economy. Renovations to the Axelrod Building will provide space for the additional grad students in environmental science that Ontario is also funding. Axelrod is currently one of the most non-accessible buildings on campus, and the original building has no insulation. This funding will enhance the building's accessibility and significantly improve energy efficiency and sustainability. As someone who was both a student and lecturer in this building, I can say that this \$33-million investment is enthusiastically welcomed by both students and faculty, and it will create 670 jobs for Guelph-area workers.

GENERAL ELECTRIC

Mr. Jeff Leal: GE was founded by Thomas Edison in 1892 and has operated in Canada for over 100 years, beginning with the manufacturing facility in Peter-

borough. This is a company with a great deal of history, especially in my riding. Generations of Peterborough families have worked for GE. My late father worked there for almost 40 years. They manufacture everything from jet engines to power generation, financial services to water processing, and medical imaging to media content.

On November 19, 2009, I had the distinct pleasure of welcoming my esteemed colleague the Honourable Sandra Pupatello, Minister of Economic Development, to Peterborough. Together we announced a memorandum of understanding that will have GE and Ontario invest \$100 million in the Peterborough operation; our government would be investing \$15 million over five years from the Next Generation of Jobs Fund.

With this funding, GE will create 100 high-value jobs, attracting new investment to the Peterborough area, and help Ontario reduce its carbon footprint. They plan to upgrade their facility, buy new equipment, and increase R&D for new products and training initiatives, including apprenticeship programs.

GE has been referred to as “imagination at work” because of their ability to create diversified technology used in solving some of the world’s toughest problems. This announcement is good news for Peterborough, good news for Ontario and great news for Canada.

VISITORS

The Speaker (Hon. Steve Peters): I take this opportunity, on behalf of the member for Burlington, to welcome some Burlington firefighters to the Legislature today: Sandor Toth, Dan VanderLelie, Paul Cunningham, Jeff Rock and Chris Burville. We welcome all the firefighters to the Ontario Legislature today.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Paul Miller: I beg leave to present a report from the Standing Committee on Regulations and Private Bills and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 14, An Act to deem that the Building Code and the Fire Code require fire detectors, interconnected fire alarms and non-combustible fire escapes / *Projet de loi 14, Loi prévoyant que le code du bâtiment et le code de prévention des incendies sont réputés exiger des détecteurs d’incendie, des systèmes d’alerte d’incendie interconnectés et des sorties de secours incombustibles.*

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed? Agreed.

Report adopted.

The Speaker (Hon. Steve Peters): The bill is, therefore, ordered for third reading.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Bas Balkissoon: I beg leave to present a report from the Standing Committee on the Legislative Assembly and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 204, An Act to protect animal health and to amend and repeal other Acts / *Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d’autres lois.*

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed? Agreed.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 17, 2009, the bill is ordered for third reading.

INTRODUCTION OF BILLS

DAY NURSERIES AMENDMENT ACT (SUN PROTECTION), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES GARDERIES (PROTECTION SOLAIRE)

Mme Gélinas moved first reading of the following bill:

Bill 229, An Act to amend the Day Nurseries Act with respect to sun protection for children / *Projet de loi 229, Loi modifiant la Loi sur les garderies à l’égard de la protection solaire des enfants.*

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

M^{me} France Gélinas: I was approached by Sheri Miller—MPP Paul Miller’s daughter—Jillian Dodman, Carmen Romero, Rachel Rollings and Bera Garcia, who are in the fourth-year nursing program at the University of Western Ontario. They presented me with a very good idea, which is basically a bill to amend the Day Nurseries Act to require every operator of a day nursery to provide adequate sun protection to a child in its care if the child is going to be outdoors for more than half an hour, unless a physician or parent advises otherwise. So, that could be to provide a shaded area, long clothing or sunscreen, hats etc. to the kids in their care.

MOTIONS

COMMITTEE SITTINGS

Hon. Monique M. Smith: I seek unanimous consent to put forward a motion respecting the consideration of Bill 218 by the Standing Committee on Finance and Economic Affairs.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that the order of the House dated December 1, 2009, providing for allocation of time on Bill 218 be amended by striking out the second and third paragraphs and substituting the following:

"That the Standing Committee on Finance and Economic Affairs be authorized to meet from 8 a.m. to 10:15 a.m. and from 2 p.m. to 6 p.m. on Thursday, December 3, 2009, and from 8 a.m. to 1 p.m. on Monday, December 7, 2009, for the purpose of public hearings on the bill; and at 2 p.m. on Monday, December 7, 2009, for clause-by-clause consideration of the bill; and

"That the deadline for filing amendments to the bill with the clerk of the committee shall be 12 noon on Monday, December 7, 2009. At 5 p.m. on Monday, December 7, 2009, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The committee shall be authorized to meet beyond the normal hour of adjournment until completion of clause-by-clause consideration. Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 129(a); and."

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

1520

PETITIONS

RECONSTRUCTIVE SURGERY

Mr. Gerry Martiniuk: I have a petition provided to me by Shelley Kennedy of Waterloo, which reads:

"To the Legislative Assembly of Ontario:

"Whereas to cover the cost of reconstructive surgery when a patient has had extreme weight loss after bariatric surgery, as these surgeries are not covered under OHIP and are at present considered cosmetic;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That when patients have bariatric surgery and lose the required amount of weight and keep it off, they also have another set of health care issues that can be very

costly to take care of. As these individuals lose weight, they end up with so much excess skin and fat pockets that no amount of exercise will take care of it. This excess skin and folds in the skin can cause anything from boils, cysts, skin infections and more that have to be cared for constantly in hospital emergency rooms and cared for by agencies like community care access centres. If preventive reconstructive surgeries are not approved, the constant medical care will cost the taxpayer much more money as said health issues would cost over time."

I sign the petition pursuant to the necessary orders.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: It is my pleasure to present a petition from the people of Timiskaming-Cochrane. It reads as follows:

"Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service....; and

"Whereas, by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the table with page Saeyon.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly. It's been sent to me by the Islamic Society of North America in Mississauga. I'd especially like to acknowledge the efforts of Raza Jokhio of Quartermain Drive and Ahmed Raza of Malhance Gate, in Mississauga, for having collected the signatures. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm very pleased to sign and support this petition and to ask page Christopher to carry it for me.

TAXATION

Mr. Robert Bailey: I have thousands of petitions and thousands of names addressed to the Legislative Assembly of Ontario.

"Whereas Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

"This new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services not previously subject to provincial sales tax, including: electricity, home heating oil and gas at the pump; haircuts, magazines and Internet; home renovations, heating and air conditioning repairs; accounting, legal and real estate fees; condo fees and new home sales; rents will also go up; minor hockey registration fees will increase; green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I agree with this. I will affix my name and send it down with Maggie.

RECONSTRUCTIVE SURGERY

Mr. Yasir Naqvi: I've got a petition from my constituents: Heather Saunders, Chase Irwin, Susan Sprung and Sophie Theroux.

"To the Legislative Assembly of Ontario:

"Whereas to cover the cost of reconstructive surgery when a patient has had extreme weight loss after bariatric surgery, as these surgeries are not covered under OHIP and are at present considered cosmetic;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That when patients have bariatric surgery and lose the required amount of weight and keep it off, they also have another set of health care issues that can be very costly to take care of. As these individuals lose weight, they end up with so much excess skin and fat pockets that no amount of exercise will take care of it. This excess skin and folds in the skin can cause anything from boils, cysts, skin infections and more that have to be cared for constantly in hospital emergency rooms and cared for by agencies like community care access centres. If pre-

ventive reconstructive surgeries are not approved, the constant medical care will cost the taxpayer much more money as said health issues would cost over time."

I affix my signature and send it to the table via page Cairistiona.

TAXATION

Mr. Peter Shurman: I too have a petition. It's signed by hundreds of the residents of Thornhill and it's to the Legislative Assembly of Ontario.

"Whereas Dalton McGuinty's plan to blend the PST and the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it, this new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services not previously subject to the provincial sales tax, including electricity; home heating oil and gas at the pump; haircuts; newspapers and magazines; Internet and cable; home renovations; heating; air-conditioning repairs; accounting, legal and real estate fees; condo fees; new home sales; rents will also go up; minor hockey registration fees will increase; and green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I agree with this petition. I will sign it and send it down with page Hadhy.

SOCIAL SERVICES FUNDING

Mr. Jeff Leal: I have a petition today from ErinoakKids in Mississauga, Ontario.

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers. The child poverty level in Peel has grown from 14% to 20% between 2001 and 2006, and youth violence is rising; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

I'll affix my signature to it.

TAXATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I agree with this petition. I'm going to sign it and give it to page Jordan.

DRIVER EXAMINATION CENTRES

Mrs. Maria Van Bommel: I am presenting this petition on behalf of my colleague the member for Chatham-Kent-Essex.

"To the Legislative Assembly of Ontario:

"Whereas the ongoing and unproductive labour dispute between Serco DES and the unionized employees of DriveTest has resulted in the closure of all DriveTest offices in Ontario; and

1530

"Whereas licence testing services are available only at DriveTest offices; and

"Whereas we, the drivers who require the testing services of these offices, are being held hostage during the negotiations of this labour dispute; and

"Whereas the parties involved in the said dispute are out-of-province entities and as such are showing little or no regard for the needs of the citizens of Ontario; and

"Whereas the licence testing services of DriveTest offices are a critical component of road user safety in Ontario; and

"Whereas the lack of licence testing service is preventing the citizens of Ontario from progressing through the driver licensing requirements; and

"Whereas the inability to attain required licensing standards is causing irreparable damage to lifestyle,

employment opportunities and financial situations for this Ontario society;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We respectfully urge the Legislative Assembly of Ontario to recognize that the outsourcing of driver licence testing is proving to be damaging to the lifestyles and financial situations for the citizens of Ontario and to please take whatever action that may be necessary to immediately return the availability of licence testing services to Ontario drivers."

TAXATION

Mr. John O'Toole: I'm pleased to present a number of petitions from my riding of Durham, which read as follows:

"To the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas, by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses buy every day. A few examples include: coffee, newspapers and magazines; gas for the car, home heating oil and electricity; haircuts, dry cleaning and personal grooming"; personal fitness; "home renovations and home services; veterinary care and pet care; legal services, the sale of resale homes, and funeral arrangements; and

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the" dreaded "health tax, which costs upwards of \$600 to \$900 per individual. And now he is raising our taxes again;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'd like to present this to Minister Wilkinson, the Minister of Revenue.

SOCIAL SERVICES FUNDING

Mr. Bob Delaney: I have a petition sent to me by the students and staff of Father Michael Goetz Secondary School on Central Parkway in Mississauga. I would like especially to acknowledge Phil Baca of Kenna Court and Nancy Begin of Queenston Drive in Mississauga. It is addressed to the Ontario Legislative Assembly, and it reads as follows:

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers. The child poverty level in Peel has grown from 14% to 20% between 2001 and 2006..."; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

I very much agree with this petition. I'm pleased to sign and support it and to ask page Connor to carry it for me.

TAXATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas residents at Halton Standard Condominium number 504 (the Baxter), 399 Elizabeth Street, Burlington, Ontario, L7R 0A4, do not want the harmonized sales tax (HST) of 13%, which will increase many of the costs of goods and services previously PST exempt; and

"Whereas the HST will hit condominium owners far harder than people that live in single-family homes; and

"Whereas the provincial government encourages condominiums through Places to Grow policies and then overtaxes those condo owners by taxing goods and services presently PST exempt, which condo owners have no control over;

"That the government drop its proposed HST."

I agree with this petition, and I will give it to page Christopher.

ORDERS OF THE DAY

GOOD GOVERNMENT ACT, 2009

LOI DE 2009 SUR LA SAINE GESTION PUBLIQUE

Ms. Smith, on behalf of Mr. Bentley, moved third reading of the following bill:

Bill 212, An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts / Projet de loi 212, Loi visant à promouvoir une

saine gestion publique en modifiant ou en abrogeant certaines lois et en édictant deux nouvelles lois.

The Speaker (Hon. Steve Peters): Debate?

Hon. Monique M. Smith: I will be sharing my time with the member from Willowdale.

As you'll recall, the Good Government Act, 2009, would, if passed, modernize Ontario laws and regulations to increase transparency, accountability and effectiveness. I'm very pleased to have the opportunity this afternoon to speak to third reading of this bill.

The bill is the combined response of many ministries, as you know. The result is close to 600 items from 22 ministries. The proposed items include a number of technical changes and general housekeeping measures, but they also include increases in transparency and accountability in our existing systems by improving public inquiries and jury selection processes.

With respect to jury selection processes, we're looking at jury verification through this bill. Building on recommendations made this fall by the Information and Privacy Commissioner, we are moving forward with proposed amendments to the Juries Act. These changes would create a clear and transparent process for screening prospective jurors who are ineligible to serve as jurors because of a prior criminal conviction. This would ensure that juror eligibility under the act is checked independently from court locations and that it is done according to strict confidentiality requirements.

These proposed changes would maximize respect for privacy because the names of ineligible jurors would be replaced before lists were sent to court locations so that the information is never provided directly to any of the participants in court proceedings. I think that protection of privacy is incredibly important, and it is certainly one of the major aspects of the Good Government Act, 2009.

As well, there has been lots of discussion in the public domain about public inquiries. The proposed changes to the Public Inquiries Act are about providing both the government and commissioners with better tools to determine the scope and manage the cost and length of public inquiries. Public inquiries can, of course, as you know, provide governments with direction and expertise. However, over the years, many inquiries have become increasingly complex, time-consuming and costly.

The amendments that are proposed in Bill 212 would require future commissions to rely, where appropriate, on factual sources that promote efficiency, such as representative witnesses, agreed statements of fact, and existing records and reports. These tools will streamline our public inquiries, ensuring that we do get the appropriate evidence before our commissioners and also ensuring there is not a lot of wasted time or resources in the process. They reflect modern case management techniques and will mean that, when inquiries are necessary, they will complete their important function in the most efficient and effective way possible.

I know the member from Willowdale has done a great deal of fabulous work on this bill. I am pleased this afternoon to have the opportunity to share with him my

time, and I was pleased to have the opportunity to speak to third reading.

The Deputy Speaker (Mr. Bruce Crozier): He will be able to share it in rotation.

Further debate?

Mr. Ted Chudleigh: I will be sharing my time, in rotation, with Mr. Shurman from the riding of Thornhill.

I would like to make some comments concerning the minister's comments. This is a huge bill, of course: 324 pages. We've talked about that in the past. There are 79 schedules. Amongst those schedules, there are two complete acts. For all of that legislation, for all of the schedules and for all of the new acts that are in this bill, we had the grand total of half a day of hearings. Those hearings had less than 36 hours' notice for people to come to Queen's Park from all over the province and to make a submission. Lord help you if you were in Thunder Bay; you had no opportunity whatsoever to have a discussion on this bill. The clause-by-clause on this bill took longer than the half day of public hearings.

1540

It's really quite amazing that this bill is passing through the House, especially by this government. I well remember, in 2003, the Premier's first words in this House as he was saying a few words after his swearing-in. Those words rang true with me at the time. I thought that this was not all bad. He was talking about public consultation and he said very strongly, "None of us is smarter than all of us."

Apparently, after six years, that has faded into the background, because no longer does this Premier want to hear about others' comments, others' thoughts and words on these things. With a bill this size, when 79 days would have meant one day per schedule for hearings to take place, we had half a day of hearings.

In those hearings, some of the people who appeared before the committee had very interesting things to say. They indicated very strongly that Bill 212 hinders the independence of a commission and will not ensure the increased transparency and increased accountability of a government or of a public inquiry. This has been highlighted by our party and, of course, confirmed by various people who made presentations during that very brief half day of hearings.

The commission counsel and researchers who spoke to the committee considered this bill to be very restrictive, as far as the conduct of public inquiries in the future.

Kent Roach wrote an interesting and very informed piece on this bill in the Ottawa Citizen entitled "Keep Public Inquiries Independent." He wrote that article on November 16 this year.

During the second reading of this bill, I made a statement in the House: "It will give the government a lot more control over how those public inquiries take place"—this bill, if passed. "If you read the new process that public inquiries will operate under, one would suspect that the government could scope the conclusions of an inquiry, taking away the independence of a public

inquiry"—since they now control so many aspects of public inquiries.

Of all the 79 schedules that exist in this bill, probably the ones that I see as the most damaging are the changes to the Public Inquiries Act, which give the government much more control, take away the independence of a commissioner of a public inquiry, and I think, do not augur well for the future of that independence in the House.

The Attorney General of the province, when he was introducing this bill for first reading, said, "The amendments to the Public Inquiries Act would, if passed, provide the government and commissioners with better tools to determine the scope and manage the cost and length of public inquiries."

I think that perhaps when the minister said that, if passed, it would provide the government and commissioners—of course, the emphasis should be on the government. It would give the government much more scope, much more management of the costs. It would give the government much more control over the length of public inquiries. In fact, if you read between the lines, it would give the government much more control over what findings that public inquiry came to.

During second reading, the minister talked about Bill 212, and I quote: "Recognizing the essential independence of the commission, which would not, cannot and should not be in any way, shape or form compromised...." Well, that hasn't been the experience of what we've heard in the half day of public hearings that we did have.

Further, on the second reading of Bill 212: "I want to re-emphasize that we're very anxious to hear what the suggestions and comments will be with respect to what's in here." That's something the Attorney General talked about, and then you had half a day of public hearings. So I'm not sure how anxious he was to hear suggestions about this bill.

Further, the Attorney General, in response to the member from Oshawa's question on November 5, 2009, said, "The Public Inquiries Act remains as strong as it ever was, but would propose to be strengthened." Again, I question the Attorney General's comments there, as do the people who were able to make a public submission during the half day of hearings.

Again, the Attorney General responded to a question I asked him on November 5, 2009: "The suggestion that the proposed legislation would be less than what is there now is completely wrong."

That's what the minister said, and I compare that to the submission made by the commission counsel and researchers to the Standing Committee on Finance and Economic Affairs. In their submission to the committee, they said:

"A number of the provisions in the proposed act could in our view adversely affect the independence of inquiries once they have been appointed, and will affect the ability of sitting judges to agree to conduct public inquiries in Ontario. We are concerned that prior advance

legislative authorization for executive termination and other interferences in the conduct of an inquiry would seriously alter the delicate balance that now exists between government and inquiries.”

That was in their submission to the hearings. At the public hearings, the same deputants, the commission counsel and researchers, said:

“Public inquiries play a valuable role in restoring public confidence, ensuring accountability and proposing reforms for the future. But it is the independence of the commissioners of public inquiries that creates the conditions for the restoration of public trust and confidence. Without public confidence in the commissioner’s findings and the process employed in reaching them, there can be no public acceptance of the commissioner’s recommendations to address the tragedy or other matter of public concern that led to the commission’s creation.”

That seems to be in direct contradiction to what the Attorney General has been saying in this House. I think it’s a sad day for Ontario when these things aren’t being taken as seriously by the minister as they are by the report writing of the research staff.

At committee: “If schedule 6 to Bill 212 is enacted in its present form, it will create more problems than it solves and will likely end the long tradition of public inquiries that have served this province so well.” That is a huge, huge red light. The government should note, and note well, that if this bill is passed, it will “create more problems than it solves and will likely end the long tradition of public inquiries that have served this province so well.” That should scare anyone who is thinking about voting in favour of this bill.

Further, at committee, the member for Thornhill, Peter Shurman, asked, “If you had a choice to make, would you change anything at all about the way public inquiries are constructed at present?” The answer was an emphatic, resounding no.

At committee, Mr. Shurman further asked, “If I characterized this as highly objectionable, from your perspective, that would be a good synopsis?” The answer again was, “That is a fair synopsis.”

As this bill goes forward in its immensity—a huge piece of legislation—I feel that this one section dealing with the Public Inquiries Act is highly flawed, and would suggest that the government reconsider introducing this section of the bill and look back on the history of this province and how it has been served by public inquiries down through the ages. It’s a long and wonderful tradition, and I fear that this bill is going to seriously impact the ability of those public inquiries to take place in the way they have in the past and provide this province with the kind of advice that has served us well in the past.

1550

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Peter Shurman: I’m pleased to continue the debate from our side on this bill, Bill 212. I’d like to begin not by addressing my colleagues on the Liberal side—because I don’t think they’re paying an awful lot

of attention—but I’ll borrow a page from my friend from Trinity–Spadina and address a number of people who are watching us today on the legislative channel, because they have an interest in a bill of this import and size.

This bill is what we commonly call an omnibus bill. It’s entitled “Good Government”—how ironic is that?—because it purports to change in a very good way something about virtually every ministry in the government of Ontario. On the face of it, you could say that’s a good idea. There is certainly no doubt that on some level, there are good things about elements of this bill. Equally, as one would expect in a 400-page document, there are a lot of things that people find objectionable. Certainly, as the person who acted as point man on the Progressive Conservative side in hearings—hastily called hearings, I might add—I can tell you that there wasn’t sufficient time for people to give thoughtful response to a number of elements of this bill that certainly deserved that.

So I’d like to say that for a complex bill like this, I find myself disappointed in the process. And it’s the process that I’d like to spend my time addressing today: the process in which this bill has been handled, both in committee and in the Legislature.

In committee, very particularly, to sit opposite the government side and witness my colleagues behaving in many cases like automatons, robots, in terms of how they responded, and to see in the room pretty well only bureaucrats in the clause-by-clause consideration, who probably—I did a quick mental calculation at the time—added up to about \$3 million a year, if I’m estimating correctly, of public sector salaries, so that they could provide the answers that the government side could not, was disappointing to say the least.

This is massive legislation. As I mentioned, it changes so much about so many ministries and so many acts in the province of Ontario. Yet this bill was time-allocated to ensure only minimal input from MPPs, from stakeholders and from individual Ontarians.

I have said it already in committee, but I’ll say it again: Elements of the bill are positive, elements of the bill are negative. That’s why public hearings are held. That’s why public hearings are required. That’s why stakeholders should be given adequate time to prepare their comments and to present them in an atmosphere where due consideration is provided and where they can legitimately be incorporated, where felt appropriate, into the bill itself.

The McGuinty government’s time allocation motion for Bill 212 has rendered any consideration of the bill, in my view, undemocratic. The McGuinty Liberals have literally stifled debate on Bill 212, in the same way that they have stifled debate on Bill 218, the HST tax grab bill. And while I’m at it, I could point to a couple of pieces of legislation that have been recently debated in this House that have suffered the same fate. One is the bill on TSSA, which went through third reading last night. This bill, without going far afield from what we’re considering, was in the same way very reactive to a particular event, and at the end of the day inconsequential

to making the differences that that event should have called upon it to make. Cap and trade is another one. That's a lot like the Green Energy Act. It sounds great, but what does it really do?

To bring us back to the focal point of what I'm talking about today, good government: Does this bill provide for good government? The fact of the matter, Speaker and people watching, is that good government is about the concept of full debate. It's about the concept of public hearings that allow stakeholders—that's you—to come and say what they feel about the bill. It's about the concept of creating the time to do the research and to have professional people or non-professional people who have opinions on what happens to the 13 million citizens of the province of Ontario come and talk to us, the MPPs who represent you, and to have that representation count for something when amendments to a bill are considered.

It seems that this government is not interested in debating any legislation that would have a significant impact on Ontarians. They're not interested in listening to anyone.

I have in my hand not a prop but the actual agenda for Thursday, November 19, 2009, in room 151, which constitutes the time and place of the hearings for Bill 212. It began at 9 a.m. We listened to six submissions of up to 15 minutes each. There was one scheduled for the afternoon, but it was a no-show. So this committee met, as my colleague from Halton has already mentioned, for one morning, basically for three hours, and considered the submissions of six organizations. I will read them into the record because they deserve that, at least: commission counsel and researchers talking about the Public Inquiries Act, and ably quoted by my colleague as finding the section pertaining to that objectionable; the Ontario Deputy Judges Association; Ontario Nonprofit Network; Hull and Hull LLP; Bernard Nayman, chartered accountant; and Conservation Ontario, the Grand River Conservation Authority. That was it.

I wonder why that was the full agenda for a 400-page bill, a highly complex omnibus bill. Hearings require complex submissions. Hearings require the time to create those submissions. They require, particularly when they are held in Toronto, for people who might want to travel to make those submissions, the opportunity to do so.

But the fact of the matter is that, looking at orders of the day from November 16, this bill was the subject of a time allocation motion. It was voted for time allocation on November 17, and then the hearings were authorized for Thursday, November 19—all of 36 hours after that. That's almost an impossibility for anybody in terms of being able to get here and meet and do what is required to make a meaningful submission. That, Speaker and viewers, explains why a bill this complex got all of six submissions and only held one morning of hearings, and then clause-by-clause amendments.

At least those six folks got a chance to talk about what amendments should be made. Those amendments had to be filed with the clerk of the committee by 12 noon on Tuesday, November 24, and were considered on Thurs-

day, the 26th. Considered they were, for all of about 30 seconds apiece, with every single amendment—and our amendments were submitted by our opposition critics for an array of portfolios, all with good grace and with an honesty that only goes with the representation that they can provide to reasonable and legitimate stakeholders—turned down one by one by a series of motions for these amendments that were voted “no” on by the entire Liberal panel, with, I dare say, and I can't provide paper proof of this, very little knowledge of what they were voting against. That concerned me a great deal.

1600

Going back to the motivations of the government on this, they're certainly not interested in meaningful review of their proposals. Members of the finance and economic affairs committee received copies of these stakeholder submissions for their review one hour before the deadline to submit any amendments. What was I supposed to do with that? How was I supposed to even transmit them to my colleagues for consideration in that kind of a time frame? The answer is very simple: I wasn't. And so they got them and we hastily assembled some amendments, but I can say that this bill—a bill that, I can't underline strongly enough, is a pretty important and far-reaching bill—did not receive the consideration from this assembly, did not receive the consideration from the committee, and certainly did not receive the input and consideration that the government should have demanded of itself in passing legislation like this. With the deadline for submissions being set an hour before the deadline for amendments, neither individual Ontarians nor stakeholder groups had any kind of an opportunity, any adequate opportunity, to have their submissions properly considered and properly reviewed. That's not only not fair; that is the antithesis of what the bill's title implies. It's not good government; it's bad government.

From what I heard at the committee table, the Liberal MPPs did not seem to know exactly why they were voting for some amendments and not for others. In fact, the point person for the Liberals, from whom I believe we'll be hearing shortly, when questioned by regardless what party, simply read from a card in a very robotic way or asked one of the bureaucrats in the room. Again, as I say, it probably took several million dollars per year worth of bureaucrats to explain why something was in the bill, rather than providing meaningful debate. Honestly, did anybody actually read this bill or the parts of it that were assigned for individual consideration, if that even happened? I don't know, but I seriously doubt it.

So I put forward this challenge to all members of the McGuinty government: We here in this chamber are all elected members who represent our constituents, or we should be. We are not here as pawns of anybody. I'm here for 150,000 people who live in Thornhill. They have expectations, and I would hope to be able to deliver on those expectations. We're here to make decisions on what is best for Ontario, and to do so, you have to do more than raise your hand when told to. The McGuinty government is contradicting itself.

I'd like to conclude with a quote. Here's what the Minister of Transportation had to say about time allocation motions back in 2002, a mere year before the McGuinty government took hold in the province of Ontario: "They are motions which are designed to choke off debate, to end debate, on a particular piece of legislation that would be before us." I submit to you that Mr. Bradley, the Minister of Transportation, was 100% correct. That's what has been done here. That's the point I want to make today; that's what I want to get on the record. The time allocation motion has become the favourite tool in that very same McGuinty arsenal. The Liberals have used this tool to make a mockery of the committee process. They are using it again, and many times, I might say, to make a mockery of the entire democratic process by refusing to hold public consultations on a range of things, and, when they do hold them, to curtail them.

Speaker, thank you very much for letting me take this time, and thank you very much, viewers, for paying some attention.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Michael Prue: I rise to talk about this bill. This is a huge bill with so many sections, so many acts involved, and I have to state at the outset that most of the bill was kind of benign. Whether a few housekeeping measures were taken or other things were brought to light or a couple of minor changes to regulations and to acts took place, it was benign. But there were a couple of things that the government really fell down on.

I want to echo my colleague from Thornhill in what he just said, because I found it a very frustrating committee to attend. The Liberal members who were there would not engage in debate as to why they were making motions or why they were not supporting opposition motions. From time to time, they were forced to call staff to explain what the regulation changes meant because they themselves, even though it was their motion, did not understand what it meant or how it was going to impact the existing legislation.

So we asked many questions, and there were two things in the end that I really feel compelled to say in opposition to this bill.

The first one involved the Ontario Municipal Board and the changes to that board. What it did, in effect, is, it took away the rights of ordinary citizens to appeal a decision of the Ontario Municipal Board to cabinet.

I asked the parliamentary assistant to the minister: "Why is it that you want to take away this right?" I'm glad to see the parliamentary assistant is here, because the parliamentary assistant would not answer that question. I pointed out in debate how it had been used so successfully by citizens over the years and was reminded that it had not been used for a number of years. In fact, 15 years ago was the last time that citizens were successful in going before cabinet to have an Ontario Municipal Board changed.

Was this something onerous to the government? Was this something they had to get rid of because it was

making so much work? I think not. It has been used sparingly but effectively.

I pointed out to the Liberal members across that the two occasions in living memory of the people of East York were both beneficial. The first one involved the Bayview ghost. Those who live in Toronto would know about the ghost. It was an apartment building built on Bayview Avenue on a hill that remained vacant for years. It was largely constructed but not completed, and it became derelict. It was there for a number of years, as a result of squabbling back and forth with the Ontario Municipal Board and the developer and the municipality as it then was, the township of East York.

Eventually cabinet got involved, and it was the Conservative cabinet that came to the rescue of the people of East York and made a cabinet order on what to do with the lands. Cabinet determined that the lands should be developed not with an apartment building but with homes. Today, if you go to the site of the Bayview ghost, you will see some of the most magnificent homes in all of Toronto perched on that hill. I think there are about 100 of them, and they range in price from \$1.5 million and up, and that's what was built there in the end.

Mr. John Yakabuski: Which one did you live in, Michael?

Mr. Michael Prue: I have to tell you, I don't live in any of them. I was mayor at the time that this was developed, and it was an appropriate tool for us to go out and determine what was going to be there. We knew it had to be homes.

The developers and other people, the residents and those who wanted to be embroiled in a big fight and start the process all over again were not allowed to do so. We had a cabinet order that was duly made and signed, and even though it was many years old at that time, it was still the law inasmuch as it had never been rescinded.

The people of East York have come to accept that development and the homes that are on it. The people there will tell you that going to cabinet way back in the days of the Conservatives—and I think it was Bill Davis or perhaps even John Robarts when this was done—was the right thing to have done, because the Ontario Municipal Board in those days, with the greatest of respect, had screwed up that file royally.

The second instance is much more modern. People will see it if, again, you're going along Bayview Avenue. There is a place that is being developed by Evergreen—getting a huge government subsidy from the Ontario government, the federal government and private people to develop that place, which was once the Don Valley Brick Works. Again, the Ontario Municipal Board, in its wisdom, listening to developers with big dollar signs in their eyes, ruled that that should be housing. What they didn't say, and what they wouldn't accept, is that the housing was going to be built on the flood plain. It's on the flood plain of the Don River. In fact, in those years of Hurricane Hazel, October 1954, when Hurricane Hazel came in with torrential rains, that entire area of the flood plain was six or eight feet deep in water. That's where

the Ontario Municipal Board, in its wisdom, determined that there should be new houses.

Mr. Ted Chudleigh: Tell us about the Bayview ghost.

Mr. Michael Prue: I did.

Mr. Ted Chudleigh: Did you?

1610

Mr. Michael Prue: I did talk about the Bayview ghost, for the member, already. I did talk about that.

Then the citizens rebelled against what the Ontario Municipal Board said, and they went to cabinet, and this time it was a Liberal cabinet minister in the Peterson government who came to the rescue of East York. Her name was Lily Munro. People will remember, Liberals especially will remember, how she said, "No. What the Ontario Municipal Board is doing is wrong. We have a higher use for this property." The Ontario government came to the rescue, and that place today is being developed. It is one of the most beautiful urban parks in this country today. It has ponds, it has fish, it has birds, it has frogs and trees and all the things that people could want. The old industrial heritage of the Brickworks has been saved, and it is being put forward for future consideration so that people can remember the heritage of the Don Valley and the bricks that were made there that built elaborate and beautiful homes, including this very building. The bricks came from the Don Valley Brickworks. All of that has been preserved because, again, the Ontario Municipal Board was simply wrong.

Now what is happening is, with absolutely not one word of debate, with the Liberal members sitting there mute and silent, that right is being taken away. They would not even defend their actions about why it was necessary, except to say it hasn't been exercised in 15 years. Well, 15 years ago, it worked very well for the people of Toronto, and that safeguard has to be there to protect citizens in other communities when the Ontario Municipal Board again makes a horrendous decision.

If what the members opposite are saying is, "Go to court," do you think ordinary people can afford to go to court? I know the developers will go to court if they don't get what they want, but ordinary people, trying to do the right thing and protect our heritage, trying to do the right thing and protect—

Mr. John Yakabuski: They can't go to court now; lawyers' fees are going to have HST.

Mr. Michael Prue: Exactly, yes. HST on lawyers' fees, my friend reminds me; that's true.

But ordinary people will not be able to afford it, and the one thing they had—a government that could look and say, "There's a mistake here," and remedy it—is being taken away. I think this was shameful on the part of the government. This alone would cause me to go from the side of supporting an otherwise benign bill to not doing it at all.

That was not the end of it. There was a second set of proposals put forward around municipal elections. We know they are problematic. We know that elections in the 444 municipalities across this province are not held to the same high standard as federal and provincial elections.

That's not to say that every municipality is not doing the right thing; I do not cast that kind of aspersion. But I do say that from time to time, there are examples of municipal elections that do not hold up to the light of scrutiny, where things have been done wrong, where people have made mistakes and people have been elected in less than favourable circumstances, where monies have changed hands, where donations have been improper and all of that.

We put forward a number of recommendations, every one of which was shot down without explanation; not once was an explanation given. I want to tell the people, especially those who are watching, some of the things that we attempted to do, because I think they were good motions.

The first thing we attempted to do was to prohibit gifts of money, property and services to candidates. We tried to do this so that gifts of money, including loans, property or services, that are not used for a campaign but that could influence a candidate if he or she was elected, must be prohibited, the same way as in the federal elections act, the Canada Elections Act. We think that's a good act. It's certainly the act that the Parliament of Canada uses for its elections; it's one that I would hope some day we would use in our provincial elections, something to make sure that a candidate does not benefit if they are elected and that they are in fact prohibited from taking these kinds of loans, property or services.

I moved the motion and without debate, without a single signal from the government as to why not, five hands went up in opposition. You can understand my frustration, but it did not end there.

The second motion we attempted to make on this same act was to require donors to political candidates to be at least 18 years of age before they can donate. Note that we didn't ask that they be Canadian citizens, because we understand that many people in Ontario have come from other lands and may not be Canadian citizens yet but may want to participate or have a candidate they want to support. We left that open in order to make sure that what happened federally does not happen in municipalities. We call this the Joe Volpe law.

Interjection.

Mr. Michael Prue: You remember Joe. I see the Liberals opposite laughing. Remember how he was collecting money? He was collecting \$5,000 from five-year-olds. What was happening was that parents were giving \$5,000 to their five- and six- and seven-year-old children, who in turn would take that money and could think of no better use for it—not ice cream, not candy, not a new bicycle—but to give it to Joe Volpe's leadership campaign, and people thought this was ridiculous.

Therefore, we suggested: Make sure that people are of the age of majority, that they can vote and they're 18 years of age before they're allowed to make that kind of contribution. We don't want the money being funnelled from rich people down to their children, and their children, in turn, giving it candidates—be they Joe Volpe or a municipal candidate under that guise.

I moved that motion. I asked the Liberals to support it. Without even saying a single word in defence, or not, or why it was a good idea, or not a bad idea, five hands went up against it, and that was the end of it. Not a single defence about why children five years of age should be allowed to contribute.

I went on to ask other things. I went on to ask about banning union and corporate donations to municipal election candidates. I talked about what happens in other places. That has already happened in Manitoba; it has already happened in Quebec. I am very hopeful that this week it's going to happen in the city of Toronto, because they know this is not good policy, and I asked for a simple motion. It's happening in Nova Scotia as well, I'm given to understand, as we speak. It's the law in Canada; it's the federal law.

I suggested that it's a really good law. I explained that it's much easier to enforce than the \$5,000 limit set out in this act. It is a problem of developer domination of municipal candidates—it has been well documented by Professor McDermott and others in places like Markham, Pickering, Vaughan and other places where developers really pay all the shot for municipal elections. It was at least 50% of all the contributions in the municipal elections from a broad range of places across Ontario.

I asked that this be considered, and again, with no discussion at all, with absolutely no defence of the position of the Liberal Party, five hands went up in opposition. To this day I have no idea why they think this is not a good idea. Certainly, it is the law in Canada. It ought to be the law in Ontario. It is the law in most of the other provinces. It will be the law in the city of Toronto. Even Vaughan is looking at this. Even Vaughn is looking at it. But no, the Liberal party of Ontario can't look at it.

Mr. Rosario Marchese: Did they speak to that in committee?

Mr. Michael Prue: Yeah, I did.

Mr. Rosario Marchese: No, did they?

Mr. Michael Prue: No, they didn't say a word on this issue.

Then I started to talk about reducing the maximum donation limit to \$1,500 from the \$5,000 that's proposed. I suggested that the \$5,000 limit was too high, especially in small municipalities, because you can give \$750 per candidate. There are hundreds of municipalities across this province that have either five or seven members of municipal council. You have a mayor or a reeve and you have four or six councillors, and that makes up the council. At \$750 a crack, you can fund them all, and I suggested that's not right. You can fund them all with the limit. Is that what the government had: For developers to go in and fund all the incumbents for being developer-friendly? I asked the question. Not one word of defence was given by the government—not one word. But five hands went up in opposition. I don't know; maybe they think it's a good thing. Maybe they think it's a good thing that a developer can go into a small town and fund every incumbent and have the wherewithal under this act to do it.

1620

I asked about average voters. If they that say for four years—given that an average voter makes \$35,000 annually, they couldn't afford to ever do it, and no average voter is ever going to make that kind of contribution.

The Canada Elections Act limit on donations in any calendar year to a candidate for a particular election is \$1,000 in total in any calendar year to the registered associations, nomination contestants and candidates of a particular registered party. But here in Ontario, municipally, whoa, you can do everything you want. You can go in and you can give money to every candidate under the sun in your particular place.

Then I went to the next one. I talked about requiring the candidate to collect the information on an employer, union or business connections of donors. This is not the law in Canada, but it is the law in the United States. What is happening here is that big corporate interests and developers—particularly developers—are giving the money out to their employees. They're saying, "Here's \$5,000. Give to it candidate X. I've already given my \$5,000. I can't give any more, but you can give it, my wife can give it, my children can give it, now my employees can give it. We're going to fund this guy right to the nines, and he's going to win. That's what we want to do." In order to stop this, if the government insists on a \$5,000 limit, then they should at least have to disclose. The identity of each individual donor's employer must be required, as in US law, and disclosure of each donor's direct organizational affiliations must also be required, to help ensure that corporations, unions, and other organizations are not funnelling donations through their employees or board members.

Mr. Howard Hampton: Through the back door.

Mr. Michael Prue: Back door. I asked that question, I put forward this proposal, I talked about it, and without a word of defence, five Liberal hands went up in opposition. I still don't know why the government thinks this is not a good idea.

We went on to talk about prohibiting loans to candidates from businesses, unions or other organizations. Again, the same thing: Loans to candidates from corporations, unions and all other types of organizations must be banned, and loans from individuals must be limited to the same limits as donations. So if you're allowed \$750 and you don't have the cash but you want to loan it out to your friend, that's the limit, so that the money can't be used by others to circumvent the act. Again, I put it forward, and five hands went up in opposition. I don't know why. I don't know why they thought that they don't have to answer this, except that they're the government and they can do whatever they want. They don't even have to defend it. They don't even care.

I'm almost finished here.

Mr. Rosario Marchese: Take your time.

Mr. Howard Hampton: You're on a roll, Michael.

Mr. Michael Prue: I know.

Mr. Rosario Marchese: And I'll finish it off, don't worry.

Mr. Michael Prue: Okay.

Here's a really good one, we thought—we required that the end of the surplus fund carrying over from the 2010 election year rather than the 2014 election year. This great scam that's been going on for years is that candidates running in elections accumulate huge scads of money, they don't spend it all, they hand it over to the municipality, and they have it ready for the next election year. That's a bad enough scam as it is. I know that it happens. I know that when I ran my last time municipally, I had the money but I gave it to the municipality and I did not try to protect it. That money went to the city of Toronto, and I am proud that they got that money and I hope they spent it well.

I also see what other people have done, people who have lost the election and then determine that they maybe want to run in the next election, or not run in the next election, or two or four elections. What they do is a little-known scam: They go in and register for the election, and then they withdraw half an hour later, and then that money is protected for the next election after that. And the next election after that, they go in and sign up, and a half hour later they withdraw, to protect it for the election after that.

The best-known case was a former member of this House—who was sitting on the government side in the last Parliament—who was a municipal councillor, who had tens of thousands of dollars in the bank for the city of Vaughan, and who was, I guess, anticipating his eventual demise and loss in the election. He went in as a member of this House and registered to run in the municipal election without resigning. Of course, as soon as that was discovered, he withdrew. But he protected the money. I understand that he may in fact be seeking election as mayor in the city of Vaughan in this upcoming election, but he has a huge head start on everybody else who might run because he has all that money. He has all that money, and he can use it in this election.

I talked, and I asked them—I'm getting a note here, Mr. Speaker. Bear with me.

Interjections.

Mr. Michael Prue: Okay. I'm going to end in about one minute.

Mr. Howard Hampton: He has a very effective money-laundering agent.

Mr. Michael Prue: And that is what's happening now. The one time the members did speak, it was to say, "Oh, no, we're not going to do that. We're not going to end it now. We're going to end it in 2014," as if the problem doesn't exist. If it's unfair in 2014, then it's unfair now.

Interjection.

Mr. Michael Prue: No, you're not ending it in 2010. That's what the motion would have done. You wouldn't listen to that. You want to end it not in this election but in the one after that. The only time that anyone spoke to the issue at all, the only time, Mr. Zimmer, the member from Willowdale, said we're not going to do that because people who collected the money and took it from

developers and gave it back to the municipality have the expectation that they can use it in this election, whether it's unfair or not.

I have to say that I find this repulsive. I find the whole attitude of this government around this bill in those two key areas to be repulsive. They would not defend their actions; they cannot defend their actions; they will not explain their actions. But they are willing to vote against every good and decent proposal to have their own way.

For that reason, I don't see how I could ever support this bill, no matter how benign the rest of the 90% is.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? The member for Willowdale.

Mr. Rosario Marchese: Willowdale?

The Deputy Speaker (Mr. Bruce Crozier): Willowdale. This is rotation today.

Mr. David Zimmer: I last spoke to this bill on November 2, 2009. As you've heard, we had committee hearings on November 19. We've heard from the member from Halton, the member for Thornhill and the member for Beaches–East York about this idea that there has not been consultation, that we haven't taken into account suggested amendments.

Let me just speak for a minute to the question of amendments. In this bill, we put forward some important amendments to make sure that Ontario's laws are up to date and effective, and we are very, very pleased that some additional helpful recommendations, and indeed amendments, were put forward at committee hearings and we were able to incorporate those suggestions into the bill before the House today.

Let me speak specifically to the matters that the members for Halton and Thornhill spoke to. They spoke to the issue of the Public Inquiries Act and seemed very steamed up that we hadn't taken into account any of the important submissions and suggestions that we heard in committee.

Well, let me just read into the record for the benefit of the House and particularly for the benefit of the members for Halton and Thornhill a letter that we received from Freya Kristjanson, a lawyer with the law firm of Cavalluzzo Hayes Shilton—

Mr. John O'Toole: On a point of order, Mr. Speaker.

The Deputy Speaker (Mr. Bruce Crozier): Member, take your seat, please. The member from Durham on a point of order.

Mr. John O'Toole: The member from Willowdale is making such a fuss out of this very important omnibus bill; why aren't there more members here? I call quorum. Let's see how many are here now.

The Deputy Speaker (Mr. Bruce Crozier): Is a quorum present?

The Clerk-at-the-Table (Ms. Lisa Freedman): A quorum is present, Speaker.

The Deputy Speaker (Mr. Bruce Crozier): A quorum is present.

The member for Willowdale, the floor is yours.

Mr. David Zimmer: The members from Halton, Thornhill and Beaches–East York made much of this

business that with respect to the Public Inquiries Act this government had a closed mind.

I was at the November 19 public hearings, and there was a very effective and thoughtful presentation made by a group which calls itself the Commission Counsel and Researchers. They are the leading lawyers here in Ontario who appear before commission counsel and have particular expertise in this area. They wrote to us after we introduced our amendments, shortly after November 19, which I'll get to in just a minute, and this is what they said:

"I am writing on behalf of our group of commission counsel and researchers with respect to the government's proposed amendments to the Public Inquiries Act. On November 17, 2009, we provided the standing committee with a brief setting out our significant concerns regarding the proposed amendments, and testified before the committee on November 19. We subsequently met twice with senior Ministry of the Attorney General officials to discuss our concerns with both judicial independence and procedural fairness."

1630

Mr. Howard Hampton: On a point of order, Speaker: Is there a quorum present?

The Deputy Speaker (Mr. Bruce Crozier): Is there a quorum present?

The Clerk-at-the-Table (Ms. Lisa Freedman): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

The Clerk-at-the-Table (Ms. Lisa Freedman): A quorum is now present, Speaker.

The Deputy Speaker (Mr. Bruce Crozier): The member for Willowdale.

Mr. David Zimmer: The letter goes on:

"We would like to acknowledge the significant improvements to the proposed Public Inquiries Act which have been made in response to our concerns. The new amendments address many of the concerns we raised respecting the independence of commissioners, including judicial officers. The new amendments also allay some of our concerns in respect of procedural fairness.

"We appreciate the government's responsiveness to our concerns, and both encourage and welcome the opportunity for consultation on future changes to the Public Inquiries Act." It's signed by a representative of the law firm.

That's in direct contradiction to what the members for Halton, Thornhill and Beaches–East York said, that there was no consultation and that we didn't take into account people's genuine concerns.

With respect to the member from Beaches–East York, he went on and on at length and left the impression that when he sat on the standing committee, the committee was completely unresponsive to any of the questions or concerns or suggestions he had about the bill. Well, in fact, and I say this to other members of the chamber, the government accepted five NDP amendments that were proposed when we did clause-by-clause. Two of the amendments had to do with the Public Inquiries Act—

those were NDP motions 34 and 60—and three NDP motions on the Clean Water Act—motions 66, 68, and 70.

For instance, NDP motion 34: They wanted to strike out clause 9(1)(e), which identifies "summaries of facts prepared by a participant" as a source on which the commission can rely. That's an important amendment. That was accepted.

We move on to NDP motion number 60, a motion to strike out a subsection, and we accepted that. We move on to motion 66: again a motion where they wanted to strike out a subsection. We agreed to that. Motion 68 was similar. Motion 70 was similar. In fact, I remember saying to the member for Beaches–East York, when he proposed the amendment at clause-by-clause, that we saw merit in that amendment, and that's why we accepted that amendment. All five Liberal members of that clause-by-clause committee voted in favour of those proposed five NDP amendments. We took the clause-by-clause exercise seriously. We examined all of the proposed opposition amendments, and I have just gone through the ones that we have accepted.

I'd like to speak on a more general basis about the four key areas that we've addressed in the amendments that arose out of clause-by-clause.

Amendments were made to the Public Inquiries Act to incorporate suggestions that were given by lawyers at the committee who had been counsel or researchers at previous public inquiries. We're pleased that these amendments reflect their submissions, and I've read the letter of support that the group wrote to express appreciation for the government's responsiveness.

On another matter, the Ontario Bar Association had two technical amendments about charitable investment provisions. These amendments were made in consultation with the Ontario Bar Association.

There are a further two changes to the Provincial Offences Act schedule, which were made based on suggestions from the city of Toronto. There was consultation there.

Further amendments arose because of suggestions made by the Prosecutors' Association of Ontario. They suggested a number of drafting changes to ensure that the new provincial offences regime, which they have supported, will work as smoothly as possible with existing expectations of the participants in the system.

So you see, the impression that the member for Halton and the member for Thornhill and the member for Beaches–East York would leave with this House, that somehow this clause-by-clause was just sort of steam-rolled through without taking into account any suggestions or constructive suggestions and amendments proposed by stakeholders, is just false.

You have seen the letter of support from the organization of commission counsel where we incorporated their suggestions. I have read into the record the amendments that the NDP proposed that we accepted. If you check Hansard, you will see where I said, as a parliamentary assistant on that committee—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): The member for Kenora–Rainy River will come to order, please.

Mr. David Zimmer: When the member for Beaches–East York introduced his five amendments, I complimented him. I said, “Our government sees the wisdom in your proposed amendments,” and all five Liberal members voted for those proposed NDP amendments.

That is consultation. That is consideration. That is striving to get the best possible opinions incorporated into the act.

Let me just make a few other general comments. Bill 212 reflects our government’s commitment to making sure that the Ontario statutes are up to date. The bill, if passed, is going to streamline a whole lot of processes in various Ontario acts. It’s going to make sure that our laws are clear, current and relevant.

This is an exercise that all governments go through sort of once a decade, and it’s our government’s turn now to do the Good Government Act. We’ve combed through all of the acts in the Ontario statute books. We’ve checked with all of the ministries. We’ve checked with all of the various stakeholders that have an interest in these matters. As a result of that consultation, this Good Government Act has come forward.

The bill proposes a number of items that are technical in nature, that are sometimes classified, as I have referred to them, as general housekeeping measures. The proposed legislation also includes items that would contribute to the enhancement of existing systems in process.

The bill is comprehensive, as I have said. The reason that it’s comprehensive and detailed and lengthy is because we have been diligent about making sure that the laws are up to date, accurate and in line with the everyday needs in the lives of Ontarians.

In particular, the Attorney General’s office has a number of amendments that come directly under the purview of the Attorney General. Let me just say something about the Juries Act. The proposed amendments would ensure that jury eligibility under the act is checked independently from court locations and that there are strict confidentiality requirements in that process. The changes would maximize respect for privacy, because the names of the ineligible jurors would be replaced before lists were sent to court locations. That way, information is never provided directly to any of the participants in the court proceedings. There are amendments under the Public Inquiries Act, as I’ve already talked about. Essentially, what this does is manage the scope and manage the cost and the length of public inquiries while continuing, and this is important, to respect the independence of the inquiry process.

1640

So we’ve balanced cost, efficiency and the independence of the commission process. That’s a delicate process, and we’ve captured that in this legislation. These changes also include the ability to bring in an independent third party before an inquiry is called to advise

the government as to the appropriate scope, and how the inquiry should be conducted. Again, we want to get a fair inquiry, we want to manage the costs and the time frames of the inquiry, all predicated on independence of the commission and fairness to the participants. In addition, and this is a very important concept, the bill will allow for the establishment of very specific rules and requirements in regard to completion dates—of course, these would be worked out with the government and the commission counsel.

There are a number of items having to do with the Provincial Offences Act. Effectively most Ontarians, if they have a contact with the justice system, it’s through the various provincial acts and the Provincial Offences Act. We’re trying to make that as effective and as efficient as we can. The municipality is currently responsible for administering the courts that hear provincial offences and the prosecution of these offences.

These proposed reforms reflect the recommendations of a municipal and provincial working group that was looking for ways to simplify court procedures and improve services to the public. Again here it’s this idea of recommendations emanating from a provincial and a municipal working group that together have come up with these ideas that are incorporated into the Good Government Act.

Again, consultation, sensitivity to the needs of the municipality and to the needs of the public: These changes are going to allow for quicker and more efficient filing of tickets and reduce the overall time required to process certificates of offences. The bill is going to allow routine court appearances by telephone conference and video conference and help reduce the financial resources that are spent on travelling time and hiring representative agents to attend routine court proceedings, again, balancing efficiency and cost containment, cost management, with fairness to the parties. It would also set up a system for out-of-court settlements for a whole range of minor offences to help focus the court and the enforcement resources available to the judicial system on the more serious offences, where the attention is really needed.

Some comments under the Change of Name Act: The proposed amendments here are intended to overcome problems that occur when protected witnesses and others at significant risk of harm have recently arrived from another province and require a secure name change but can’t meet the act’s requirement for one-year residency for a name change. That’s a very practical concept that’s incorporated into the act. The amendment, if passed, will facilitate a safer and more expeditious name change process, for those who need it, by alleviating the need to wait a year before obtaining a new identity.

There are ideas introduced with respect to the Crown Witnesses Act, the crown administration acts and the very, very technical matters having to do with the administration of states and the like. There are concepts introduced affecting the Municipal Elections Act. The proposed changes to the Municipal Elections Act in Bill 212 again—and I want to emphasize this—stem directly

from consultations with the public, the municipalities and the school organizations, such as the Association of Municipalities of Ontario and the Association of Municipal Managers, Clerks and Treasurers of Ontario. These people were consulted. We wanted to get the best advice that we could on these matters that we set out in Bill 212.

My time is up now, but I did want to leave this final thought: Notwithstanding the impression that the members for Thornhill, Beaches–East York and Halton have left in their submissions that there was no consultation, there was no idea of this government sitting down and listening to the other political parties—“Have you got any ideas? Have you got a better way of doing that?”—witness the suggestions from the organization for commission counsel that we took into account, and their congratulatory letter. Look at the NDP amendments that we accepted. Go and check Hansard, where we said that we accept the wisdom of those five NDP amendments, and all five Liberal members voted for them.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: It's a real pleasure this afternoon to have the opportunity to speak on this omnibus bill of all omnibus bills in this session.

Really, what that is an indication of—they would like to portray this as a housekeeping bill, but you've always got to be somewhat suspicious, given the incidents of the last couple of days and the government's intransigence on having additional hearings on Bill 218, the largest single change in tax policy in Canadian history. We know the reason the government is making that change in that bill, which is the HST, the new 13% tax. It is to increase revenue. They're not doing it to reduce revenue. So let's get that sorted out here.

In that context, the reason I bring 218 up, the new HST tax, is that it's a matter of trust. So when you have an omnibus bill that has some 22 sections of ministries that are being amended, reformed, changed, deleted, reinterpreted, one has to be somewhat suspicious. I don't mean to cause any unnecessary alarm—

Mr. Rosario Marchese: Do your best.

Mr. John O'Toole: I can hardly wait till the member from Trinity–Spadina speaks, because he is probably the most entertaining speaker here. So stay tuned; he will be on later if Howard doesn't bounce his time.

However, getting to the substance, because one has to stick to the messaging here, all I'm concerned about is, when I went through the bill—and I have; I like to look through these things—it's virtually impossible to read it unless you have all the statutes it's amending beside you. This is the bill, for the viewers. This bill is 289 pages. I believe it amends 22 different statutes, and some of them are quite interesting. In fact, I had asked for a briefing on a couple of sections and, with all due respect, the Ministry of Finance people did get back to me. Last Friday, they would have provided me with a very personalized briefing on the section that I had mentioned.

In the very limited time—has this been time-allocated, Mr. Speaker?

Mr. Rosario Marchese: Yes, it has.

Mr. John O'Toole: Oh, no. Not another one. I would have liked an hour to get through some of this. Why wouldn't they allow me to have a little bit more time? This is a pretty comprehensive bill. But I will break it out here.

Schedule 16 is one example that I can't, for one minute—some of the members may not have read this, and this is what concerns me repeatedly.

Interjections.

Mr. John O'Toole: Look, we could seek unanimous consent later on; that will come.

But it's schedule 16, if people could turn to their page, please. They don't even have the bill out. Most of them probably don't have a copy, which is the most discouraging piece of it all. Anyway, I'll refer, for those who want to read Hansard later—you're in real pain. It's on page 180. It says, “The rules of law and statutory enactments relating to accumulations do not apply and are deemed never to have applied to a trust fund required by subsection 9(1) of the Nuclear Fuel Waste Act...” What does that actually mean? There's no need to have a perpetuity fund on nuclear fuel waste?

1650

Let's just put this in context, just this one small section in this huge bill. This section here, as I interpret it, would be this: Nuclear fuel—about 16% of the energy has actually been used after the fuel rod is removed from the reactor. They have no solution for dealing with nuclear fuel waste. There is none. They're working out a long-term solution, which is deep storage in the Precambrian Shield of Ontario, and the reason they're doing that—

Mr. Howard Hampton: Storing it up north.

Mr. John O'Toole: Exactly, up north—not near Toronto, no. Mr. Hampton is well aware; it's probably in his riding.

But the point is this: That fuel will last probably—I'm not a nuclear physicist. I did take a couple of physics courses. But we have a nuclear physicist right here, a Ph.D. in physics right here in this Legislature, and I put it to him; he can come up with the answer. I think the radioactive life for these fuel rods is probably 20,000 years? About 20,000 years?

Mr. Reza Moridi: Yes, a long time.

Mr. John O'Toole: I'm just going to keep it simple. Let's say we've only got one little pile of nuclear rods—actually, there are swimming pools full of them. Here's the deal; it's not to alert anyone, but this is it. If they're going to last 20,000 years, you have to put them somewhere so that terrorists can't get to them, so you at least have to have a couple of security guards, right? They would be working for 20,000 years. Just to cover that one little case would cost hundreds of millions of dollars. So just put this into perspective: perpetuity—it's in perpetual storage. They're saying here, “The rules of law and statutory enactments relating to” perpetuities “do not apply and are deemed never to have applied...” That's jettisoning the liability the government of the day may have if something untoward was to happen.

That's only one act. And I would say that if you look through here, I could point to several quite glaring,

significant—and there has been no substantive debate. We've heard the member from Willowdale talk, we've heard comments today from the minister, and I'm still concerned.

I'm going to put this into an even deeper context, because reasonable debate is something that we should expect in this Legislature. I'm disappointed there's no one here listening to me. That might explain something. But here's what was said by the now Premier, a very respected gentleman, most of the time—except under Bill 218; that's a whole other debate, so we'll just stay away from it. Here's the deal: Premier McGuinty said on December 6, 1999—at that time, he was dealing with another omnibus bill, a large, complex bill: "This omnibus, megabill approach to legislation makes for bad legislation." Thank you, Premier McGuinty. Do as I—

Mrs. Joyce Savoline: Say.

Mr. John O'Toole: Not as I—

Mrs. Joyce Savoline: Do.

Mr. John O'Toole: Okay? That's what we tell our children. No, we don't.

He went on here and said, "The next thing"—this is quoting. I'm going to have to give this to Hansard because I want it on the record. I'm mailing it out to my constituents because it's the right thing to do to keep them informed. "The next thing you know, this government is going to introduce omnibus ... legislation that puts a little bit of money" here and there and all these kinds of things. "We want the bill split to allow separate votes on each piece of legislation." I would move that that's a reasonable thing to do.

Mr. Rosario Marchese: We made that request.

Mr. John O'Toole: The member from Trinity-Spadina no doubt sat religiously and enthusiastically on the public hill, along with my member from Thornhill and our member from Halton. They've talked on this bill. We've talked about it in caucus. We raised concerns that it's such a large, comprehensive bill.

Here's another thing it says in here—this is all in Hansard; I have it here, so I will make sure you get a copy of it: "In addition to demanding that this government split this bill," Mr. McGuinty is saying, "I have an additional outrageous request." That's pretty unusual. "We want just a few hours of public hearings." That's what we've been talking about for three straight days here on Bill 218: additional public hearings.

Large, complex policy shifts should be broadly debated. Did anyone hear about HST during the election in 2007? I don't think so. This is the largest single change in tax policy in Canadian history. In fact—

Mr. Michael A. Brown: That's not so.

Mr. John O'Toole: Well, the member from Algoma—
Interjection.

Mr. John O'Toole: Not in a belligerent way, Mr. Brown, I don't challenge you with this, but I could probably do anything that you could do, only probably better.

I only say this, Mike, because you challenged it. Here's the issue, Mr. Brown, quite honestly—and I'm

quite serious about it: This bill that we're dealing with is a complicated bill. I think we all agree with that. We need more hearings on it.

But quite honestly, it's a case that we've been asking for—about the last five bills have all been time-allocated. What that means, to the public: "Time allocation," a fancy term, is limiting the debate, shutting down debate. It's a short term for no more question period, no more input.

I can only say to you that I'm becoming disillusioned, disenchanted, disheartened, and somewhat reluctant and reticent to participate as anxiously as I always have. It's a sad day when we can't get more public hearings on such significant changes.

Now, the real truth of this is, on Bill 218—I'm merging them, because it's kind of an omnibus bill as well. We all know the real reason that they're doing it. It's sort of like at the circus where they have the shell game: Find the pea under the shell. The reason they're doing it is, at the end of the day, the revenue for the province of Ontario is going to go up about \$3 billion. That's why they're doing it.

The context around that is, they currently have an operating deficit—that's a shortfall called "I can't make payroll unless I borrow the money"—of \$25 billion. Every pension fund, public and private, is basically bankrupt. So there's a significant problem in the economy right now.

Then they have the gall to promise 600,000 new jobs. I leave one question on the table: In what sector? Forestry? It's pretty near dead. Auto? It's in serious trouble, speeding towards the cliff. Steel is pretty near shut down because of the price of energy. What sector? Everybody can't work at the community college, teaching electronics or something. What are the jobs of the future?

I remain concerned because I have five children, all of whom are 30 and older, and—I say this repeatedly—they work around the world. They work in Australia, England and the Isle of Man. The reason is that the world is flat, according to certain textbooks, and I would say that the evidence is right here today. Friedman's book *The World Is Flat* says in the first chapter, I believe, that the only thing that's going to be done here is what's actually done here. You get your car fixed, your teeth fixed, your—whatever—things done. The service industry will survive here. But if you're an accountant right now, a lot of the accounting, corporately is done in Bangalore, India.

Mrs. Joyce Savoline: Bangladesh.

Mr. John O'Toole: Bangalore, India.

Friedman has another book, called *Hot, Flat, and Crowded*. It's his new book. I think that's it. Isn't that it?

Interjection.

Mr. John O'Toole: I haven't read it yet. I had it given to me, and I'm quite interested, and I'll probably read it over the Christmas period.

Now, how this relates to all of these points on Bill 212 is when you get something this large and this complicated, I think—I'm going to repeat again, for the record,

Dalton McGuinty's remarks, Premier McGuinty, December 6, 1999: "I want you all to say it with me slowly now: public hearings." So that's it. He was trying to kind of incite—of course, he was the Leader of the Opposition. He said, "Public hearings"; those two words go together nicely if you believe in true democracy...."

1700

We find these omnibus bills becoming more common. We find time allocation becoming more common. We find that the province is in serious financial upheaval. I don't see any consistent plan. I've looked at eHealth; they wasted \$1 billion, and yet we have people dying of cancer who can't get access to drugs. These are all signs—pathetic signs—of what's happening in Ontario.

I had planned on sharing my time with the member from Renfrew-Nipissing-Pembroke, but he's encouraging me to hold on to the message. I'm going to repeat, just like the Premier: Please hold public hearings more frequently; talk and listen to the people of Ontario. There's only one taxpayer; they're up against the wall. Over 300,000 families have no job, and they're going to have no Christmas. It's not all Dalton McGuinty's fault, but a good part of it is.

I can't for one moment see any reasonable purpose to support Bill 212 without a lot more dialogue. I'm waiting for the member from Trinity-Spadina to bring his passion and his interpretation. He'd put all the money into education, which is probably a good idea, really. I would say that educating the workforce for the new economy that Friedman and others—Jeff Rubin's book is another example; it's about peak oil.

Stay tuned, people; this province is going in the wrong direction under the wrong leader.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? The member for Trinity-Spadina.

Mr. Rosario Marchese: I want to welcome the citizens to this parliamentary channel. We're on live. It's 5 o'clock in the afternoon, and it's Wednesday. I want to say hello to all the friends who watch this program, including Chris, who's a regular watcher of this program. He loves to watch us because he learns so much from each and every one of us every time he turns on that television. Welcome to this program, Chris.

Speaker, I've got to tell you, I oppose motions that strangle debate. I oppose these motions, as the Minister of Transportation used to on a regular, consistent basis. He did it, and we're doing it, and we're consistent in attacking closure motions. I've got to tell you as well that I am against these omnibus bills that a few governments have been introducing in the last 15 years.

I hate to mention the Harris regime, but, boy, did we have fun with the member from Rainy River when they introduced Bill 26. Pandemonium broke out in this place. I remember the member from Rainy River and my friend Frances Lankin and others dragging these carts with 24,000 amendments—this big, long cart with 24,000 amendments to that bill.

John, you weren't here, so you don't know what it was like. It was a huge omnibus bill that would restructure the

health and hospital system. We opposed it, because we felt it was wrong. We know that some of our friends who are here now would have opposed if they were there then. I know that.

But I wanted to simply tell you that it has become the *modus operandi* of various regimes in this place.

Mr. John Yakabuski: Did the NDP do that?

Mr. Rosario Marchese: I've racked my brains to think: Did we, the NDP, do that? I have to say that I don't think we did; otherwise, we would have heard about it. But if you go through Hansard and find it, let me know.

The only bill I remember that caused chaos was Bill 26, by the infamous and famous Mr. Harris, and this government is doing the same thing with Bill 212, a huge omnibus bill.

Interjection.

Mr. Rosario Marchese: We didn't do that. And they included in this bill changes to the Municipal Elections Act that we said should be separated from the bill. The member from Beaches-East York said that we would love to separate this bill in two parts so we could have an adequate discussion, a good debate. Bring municipal leaders to the hearings so they could tell us what they would like, what they dislike, what they would like to include, exclude, what they think would be good and bad—have a full discussion on the issue.

Interjection.

Mr. Rosario Marchese: My colleague from Eglinton-Lawrence, you probably thought or would think that's a reasonable request. You would think reasonable requests would be acceptable to any government of any political stripe, and yet they rejected the idea of separating the two. Why do they do that? It has become the *modus operandi* of all governments in this place, both Conservative and Liberal, to do the same thing each and every time.

It has been a very funny thing of late to see the role reversal between the Liberals and the Conservatives. I am so amused, and every day I have a big hearty laugh about it. Today McGuinty quoted Mike Harris—and how he and Mike Harris have become one on harmonized tax. It's beautiful to witness, beautiful to listen to. It's melodious to see that charming closeness they have. I'm sure that when they met, they gave each other a big hug, a love hug between the two. You've got Harris saying this is good, and McGuinty is quoting all sorts of illustrious luminaries of the Conservative Party who said in the past that harmonized sales tax is good. And now it's reversed. You've got Hudak saying to McGuinty, "But you used to hate harmonized taxes," and there's a whole long list of quotes quoting him, particularly, because he's the leader. So you've got this role reversal between these two parties—the most comical thing I've ever seen—McGuinty accusing Hudak, and Hudak in his style accusing McGuinty. They've now just switched the chairs. That's all they did—and McGuinty forgetting what he said and Hudak forgetting what he said. They both forget.

Now you in government say, "Ha, we have different times. The times dictate that we have to be bold. We have to do this because we're going to create 600,000 jobs," listening to the financial wizards and the financial fairies you consult, who will tell you anything if you pay them. They're telling you that they're going to create 600,000 jobs, and you say, "We're going to create 600,000 jobs." Even Mulroney couldn't deliver on the promise of free trade when he said "jobs and prosperity." Now McGuinty is saying we'll have 600,000 jobs if we pass this harmonized sales tax. Who believes it? Nobody believes it—no one. But I know you Liberals have to say it, and you think if you repeat it long enough, they're going to believe you. Please; nobody's going to believe you. You know how much political trouble you are in—I know that you know that—and you've got to do your best to try to persuade the public that you are so bold, and that they need to be bold too. So bold, you are, that you can't have hearings; so bold you are, so daring you are, so convinced you are of the rightness of your position that you are only going to give one day of public hearings. I've never seen that before—one day on a very serious matter. So convinced, they are, persuaded by their arguments, that they can't have three days, four days, of travel out of Toronto and go out wherever they need to go out to be heard.

The Deputy Speaker (Mr. Bruce Crozier): I know the member for Trinity-Spadina is somehow weaving this into the motion that's before us.

Mr. Rosario Marchese: You're so right. I was thinking about the same thing, I have to admit.

It's about how unreasonable governments can be. I'm speaking to the unreasonable demands of majority governments. In fact, they can do what they like, and they do. Even with this bill, we request, "Separate the municipal act from the rest," and they don't listen. What do you do?

You heard the member from Beaches-East York. He had a long list of things that he wanted to amend by way of that act—and all of the Liberal hands, as they normally do, just go up, as the Conservative hands used to go up in a similar fashion. I've got to tell you, it gets tiring. That's why I keep saying in this place that people stop believing in politicians: because we change our minds all of the time, and role reversals end up making cynics out of all voters in this province. That's the problem I've got.

I've got to tell you, if I was in government, I could not do what I am opposing today. If I oppose something today and get into government, and then with a straight face come and deliver something different—I just couldn't do it. I just couldn't. But I know that there are a lot of people who get into cabinet who could be so easily persuaded by a little pecunia and status to forget some things that he or she might have said, which has become so apparent in this place. As you listen to any Premier and/or minister on any of these matters, they will have said things that they just disregard once they get into cabinet, because cabinet is a drug, isn't it? You get a little

more pecunia and you have the power to be able to say what you want, do what you want, and you do.

1710

So we requested of this government to have a reasonable discussion on these things. Make it so that we can debate.

Mr. John Yakabuski: How did that social contract fit with your principles?

Mr. Rosario Marchese: Ah, John, would that you were here then. Mr. Stockwell had a great old time when he was here. It was a good time for some.

Mr. John Yakabuski: What about public auto insurance?

Mr. Rosario Marchese: But you will have—if you check the record, if you check Hansard, because I know you're a regular student of these things, you will know that there are some things that some of us opposed—some publicly and some internally. Public auto insurance should have happened, and many northerners and many southerners supported public auto no matter what. All we needed was the conviction of one person to have made it happen, and he didn't do it. The Premier of the time decided he didn't want to do it. But it was the right thing to do then and it's the right thing to do today.

Mrs. Carol Mitchell: What did you do?

Mr. Rosario Marchese: Speak up, man and woman. I can't hear you very well.

Interjections.

Mr. Rosario Marchese: Yes, you guys are good. Your hands just go up in committee and you're done with your intellectual job for the day. Simply being automatons in committees is not helpful. It is not helpful. It's almost disgraceful, I have to say.

What we need are governments to not be arrogant and not be so fearful. What I'm seeing from this government in the last couple of weeks is that they're both arrogant and afraid. It's a terrible combination. It's either one or the other, but I suggest it's both. They are afraid to take things out for debate and they are arrogant in assuming the people accept their policies. They are afraid of what the people are going to tell them, so they want to make sure that nothing gets out of this place and everything stays in this place.

Speaker, just to tell you, labour mobility, Bill 175: We moved a closure motion on Monday and we're having hearings tomorrow. We had a subcommittee this morning and I said, "Did you advertise?" and the poor clerk said, "No, we couldn't." The poor Chair said, "What else can we do? It's not our job. This was just given to us."

Imagine: closure debate on labour mobility that no one knows anything about, including MPPs in this Legislature. We are having hearings for one day, from Monday to Thursday, and nobody knows we have hearings—no one. This is the most shameful act of this government. I tell you, it's the most shameful, dictatorial thing this government has done in the last couple of years, in my view.

I believe between that bill and the harmonized sales tax, in terms of lack of debate and discussion, is the worst

thing this Liberal government has done, and this bill falls into that same category of lack of reasonableness and lack of debate and lack of discussion.

That's the pattern and that's the *modus operandi* of this particular government. You've got to say it, you've got to tell it and you've got to say it until they hear you. So when people say, "What is labour mobility?" or "What is Bill 212?" nobody can tell you anything about any of these bills because nobody debates any more outside of this room. If people are not watching this debate, they won't have a clue what we're talking about. It appears that governments want the population—citizens and taxpayers—to be utterly ignorant of what we do in this place. It is both intentional and arrogant.

The effect on the public is damaging. The effect on the population of citizens—citizenry and civic involvement is adversely affected.

So I am telling you that what we need from the citizens and taxpayers is an active, collective voice that sends a message to this government. Tomorrow at noon, there's going to be a rally out there on the harmonized sales tax, and we urge anyone watching today to be out there. You've got to be out there. This government doesn't listen unless the numbers are big. I wish we were in Europe. I wish I was in Florence or Rome, where you have a strike and you have 100,000 people in those cities demonstrating against some stupid thing that a government has done—hundreds of thousands of people out demonstrating.

Mr. Michael Prue: Or Greece.

Mr. Rosario Marchese: Or Greece or France or Germany. You come into Canada, David—in Canada, you've got a couple of hundred people and you say, "Oh, that was a good rally. Yeah, great." If you've got 2,000 people, people say, "Oh, my God; there are 2,000 people. It's really, really huge."

Mr. Gilles Bisson: And if you get 20,000—

Mr. Rosario Marchese: And if you get 20,000 against Mike Harris—

Mr. Gilles Bisson: Hula hoops. It's hula hoops.

Mr. Rosario Marchese: That's right: hula hoops and hooligans. That was the then-regime.

If you're free on Thursday afternoon at 12 o'clock and you want to send a voice of opposition to this government; against this government; against my good friend David Zimmer from Willowdale—send him a message because he's so arrogant in this place. We need to teach him a lesson. The only way to teach him a lesson is to, of course, unelect him when the time comes, which wouldn't be such a bad thing.

And so, yes, we are too complacent in this province, and that's the problem. We can't afford to have citizens become cynics and cynical, because if you become cynical, then governments can do what they like. And the only way to stop governments from doing what they like is to tell them you disagree when you disagree, and there's a lot to disagree over, particularly against the harmonized sales tax, one of the worst things I have ever seen—a flat tax that is not and never can be, never will

be, progressive; a flat tax that's flat because it means everyone, regardless of income, will pay 8% on those goods and services. It's going to whack a whole lot of people.

They're reducing progressive income taxes by \$1.2 billion. That's a progressive tax they should keep, yet they are reducing the progressive income tax and supporting, they say, a progressive flat tax. There's nothing progressive about flat taxes.

This is the worst thing this government could have done, and the other worse thing is to give away \$4.5 billion of corporate money to corporations that do not need it and will not create additional jobs because they're given a writeoff of \$4.5 billion.

This government is making wrong choices, bad choices and destructive choices against citizens, and we urge them on Thursday, if they have a moment, to come out at 12 o'clock outside of this place.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? Further debate? No one else wishes to speak?

Mr. John Yakabuski: Oh, I'll speak.

The Deputy Speaker (Mr. Bruce Crozier): Too bad; you don't have any time.

Mr. John Yakabuski: Darn.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated November 17, I am now required to put the question:

On December 2, Ms. Smith moved third reading of Bill 212, An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We'll call in the members. This will be a five-minute bell.

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Except this isn't a deferral slip. I have received a note to the Speaker of the assembly:

"Pursuant to standing order 28(h), I request the vote on a motion by Minister Bentley for third reading of Bill 212 be deferred until December 3, 2009, during deferred votes."

Third reading vote deferred.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day?

Hon. Brad Duguid: I move adjournment of the House.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Duguid has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This House is adjourned until 9 o'clock on Thursday, December 3.

The House adjourned at 1720.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Attorney General / Procureur général
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB)	St. Paul's	
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
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McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
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Mitchell, Carol (LIB)	Huron–Bruce	
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Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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O'Toole, John (PC)	Durham	
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Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
		Government House Leader / Leader parlementaire du gouvernement
Smitherman, George (LIB)	Toronto Centre / Toronto-Centre	
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Khalil Ramal
Bas Balkissoon, Jim Brownell
Bob Delaney, Joe Dickson
Rick Johnson, Sylvia Jones
Norm Miller, Khalil Ramal
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

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des comptes publics**

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Vice-Chair / Vice-président: Ted Arnott
Ted Arnott, France Gélinas
Phil McNeely, Jerry J. Ouellette
David Ramsay, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Kim Craitor, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Tony Ruprecht
Mario Sergio
Clerks / Greffiers: Trevor Day (pro tem.), Sylwia Przedzdiecki

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

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Vice-Chair / Vice-président: Vic Dhillon
Sophia Aggelonitis, Vic Dhillon
Cheri DiNovo, Linda Jeffrey
Sylvia Jones, Jean-Marc Lalonde
Carol Mitchell, Shafiq Qadri
Elizabeth Witmer
Committee Clerk / Greffier: Katch Koch

**Select Committee on Mental Health and Addictions / Comité
spécial de la santé mentale et des dépendances**

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Vice-Chair / Vice-présidente: Christine Elliott
Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

Continued from back cover

Amateur sport

Mr. Wayne Arthurs	8997
Hon. Margaret R. Best	8997

School facilities

Mr. Ted Arnott	8998
Hon. Kathleen O. Wynne	8998

Highway 407

Mr. Peter Tabuns	8998
Hon. James J. Bradley	8998

AIDS treatment

Mr. David Zimmer	8999
Hon. Deborah Matthews	8999

Members' privileges

Ms. Sylvia Jones	8999
The Speaker (Hon. Steve Peters)	8999
Mr. Frank Klees	8999
Mr. Michael Prue	8999

DEFERRED VOTES / VOTES DIFFÉRÉS

Time allocation

Motion agreed to	9000
------------------------	------

Time allocation

Motion agreed to	9000
------------------------	------

Technical Standards and Safety Statute Law

Amendment Act, 2009, Bill 187, Mr. McMeekin / Loi de 2009 modifiant des lois en ce qui a trait aux normes techniques et à la sécurité, projet de loi 187, M. McMeekin	
Third reading agreed to	9001

Notices of dissatisfaction

The Speaker (Hon. Steve Peters)	9001
---------------------------------------	------

Voting

Mr. Norman W. Sterling	9001
The Speaker (Hon. Steve Peters)	9001

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

The Speaker (Hon. Steve Peters)	9001
---------------------------------------	------

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Taxation

Ms. Sylvia Jones	9001
------------------------	------

Fire safety

Mr. Mario Sergio	9002
------------------------	------

General Motors of Canada

Mr. Jerry J. Ouellette	9002
------------------------------	------

Pension plans

Mr. Paul Miller	9002
-----------------------	------

Mehrub Rahman

Mr. Lorenzo Berardinetti	9002
--------------------------------	------

Taxation

Mr. Ted Chudleigh	9003
-------------------------	------

Fundraising

Mr. Charles Sousa	9003
-------------------------	------

University funding

Mrs. Liz Sandals	9003
------------------------	------

General Electric

Mr. Jeff Leal	9003
---------------------	------

Visitors

The Speaker (Hon. Steve Peters)	9004
---------------------------------------	------

REPORTS BY COMMITTEES / RAPPORTS DES COMITÉS

Standing Committee on Regulations and Private Bills

Mr. Paul Miller	9004
Report adopted	9004

Standing Committee on the Legislative Assembly

Mr. Bas Balkissoon	9004
Report adopted	9004

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

Day Nurseries Amendment Act (Sun Protection), 2009, Bill 229, Mme Gélinas / Loi de 2009 modifiant la Loi sur les garderies (protection solaire), projet de loi 229, Mme Gélinas

First reading agreed to	9004
Mme France Gélinas	9004

MOTIONS

Committee sittings

Hon. Monique M. Smith	9005
Motion agreed to	9005

PETITIONS / PÉTITIONS

Reconstructive surgery

Mr. Gerry Martiniuk	9005
---------------------------	------

Diagnostic services

Mme France Gélinas	9005
--------------------------	------

Hospital funding	
Mr. Bob Delaney	9005
Taxation	
Mr. Robert Bailey	9006
Reconstructive surgery	
Mr. Yasir Naqvi	9006
Taxation	
Mr. Peter Shurman.....	9006
Social services funding	
Mr. Jeff Leal	9006
Taxation	
Mrs. Joyce Savoline.....	9007
Driver examination centres	
Mrs. Maria Van Bommel.....	9007
Taxation	
Mr. John O'Toole	9007
Social services funding	
Mr. Bob Delaney	9007
Taxation	
Mrs. Joyce Savoline.....	9008

ORDERS OF THE DAY / ORDRE DU JOUR

Good Government Act, 2009, Bill 212, Mr. Bentley / Loi de 2009 sur la saine gestion publique, projet de loi 212, M. Bentley	
Hon. Monique M. Smith.....	9008
Mr. Ted Chudleigh	9009
Mr. Peter Shurman.....	9010
Mr. Michael Prue	9012
Mr. David Zimmer.....	9015
Mr. John O'Toole	9018
Mr. Rosario Marchese	9020
Third reading vote deferred	9022

CONTENTS / TABLE DES MATIÈRES

Wednesday 2 December 2009 / Mercredi 2 décembre 2009

Conduct of House proceedings

Mr. Robert W. Runciman.....	8981
The Speaker (Hon. Steve Peters).....	8981

ORDERS OF THE DAY / ORDRE DU JOUR

Ontario Tax Plan for More Jobs and Growth Act, 2009, Bill 218, Mr. Duncan / Loi de 2009 sur le plan fiscal de l'Ontario pour accroître l'emploi et la croissance, projet de loi 218, M. Duncan

The Speaker (Hon. Steve Peters).....	8982
Second reading agreed to	8982

Time allocation / Attribution de temps

Hon. Jim Watson.....	8982
Mrs. Julia Munro.....	8984
Debate deemed adjourned	8986

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Hon. Rick Bartolucci.....	8986
Mr. Jerry J. Ouellette.....	8986
Hon. Jim Watson.....	8986
Mr. Robert Bailey	8986
Mr. Paul Miller.....	8986
Mr. Monte Kwinter	8986
Mr. Frank Klees	8986
Mr. Khalil Ramal	8986
Mrs. Elizabeth Witmer	8986
Mme France Gélinas	8986
Hon. Margaret R. Best	8986
Mr. Garfield Dunlop	8986
Mr. Kevin Daniel Flynn.....	8986
Mr. Charles Sousa.....	8986
Hon. James J. Bradley.....	8987
Ms. Helena Jaczek.....	8987
Mr. Jeff Leal.....	8987
Hon. Kathleen O. Wynne.....	8987
Mr. Mike Colle.....	8987
Hon. John Milloy	8987
Hon. M. Aileen Carroll	8987
Hon. Michael Chan	8987
Mr. Kim Craitor	8987
Ms. Sylvia Jones	8987
Ms. Leeanna Pendergast.....	8987
Mrs. Joyce Savoline	8987
The Speaker (Hon. Steve Peters).....	8987

Committee sittings

The Speaker (Hon. Steve Peters).....	8987
--------------------------------------	------

ORAL QUESTIONS / QUESTIONS ORALES

Taxation

Mr. Tim Hudak.....	8988
Hon. Dalton McGuinty.....	8989

Taxation

Mr. Tim Hudak.....	8989
Hon. Dalton McGuinty.....	8990

Taxation

Ms. Andrea Horwath.....	8990
Hon. Dalton McGuinty.....	8991

Taxation

Ms. Andrea Horwath.....	8991
Hon. Dalton McGuinty.....	8991

Taxation

Mr. Robert W. Runciman.....	8992
Hon. Dwight Duncan.....	8992

Pension plans

Mr. Paul Miller.....	8993
Hon. Dwight Duncan.....	8993

Poverty

Mrs. Carol Mitchell.....	8993
Hon. Laurel C. Broten.....	8993
Hon. Madeleine Meilleur	8994

Taxation

Ms. Lisa MacLeod	8994
Hon. Dwight Duncan.....	8994

Poverty

Mr. Michael Prue	8995
Hon. Laurel C. Broten.....	8995
Hon. Madeleine Meilleur	8995

Firefighters

Ms. Helena Jaczek.....	8995
Hon. Rick Bartolucci.....	8995

Driver examination centres

Mr. Robert Bailey.....	8996
Hon. Peter Fonseca.....	8996

Manufacturing and forestry sector jobs

Ms. Andrea Horwath.....	8996
Hon. Michael Gravelle	8996

Continued on inside back cover



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of Ontario**

First Session, 39th Parliament

**Assemblée législative
de l'Ontario**

Première session, 39^e législature

**Official Report
of Debates
(Hansard)**

**Journal
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(Hansard)**

Thursday 3 December 2009

Jeudi 3 décembre 2009



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 3 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 3 décembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the Hindu prayer.

Prayers.

ORDERS OF THE DAY

ENVIRONMENTAL PROTECTION AMENDMENT ACT (GREENHOUSE GAS EMISSIONS TRADING), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (ÉCHANGE DE DROITS D'ÉMISSION DE GAZ À EFFET DE SERRE)

Mr. Gerretsen moved third reading of the following bill:

Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches / *Projet de loi 185, Loi modifiant la Loi sur la protection de l'environnement en ce qui concerne l'échange de droits d'émission de gaz à effet de serre ainsi que d'autres instruments économiques et financiers et approches axées sur le marché.*

The Speaker (Hon. Steve Peters): Debate?

Hon. John Gerretsen: Before beginning a few comments on this bill, let me just thank all of the members who have been involved on the various committees that have been working on this for their positive input, because this is a very important bill as we move forward in reducing our greenhouse gas emissions.

Bill 185 is a critical piece of legislation that, if passed, would allow us to create a fair and broad cap-and-trade system for Ontario that could link to other emerging North American systems. It would help us reach the ambitious greenhouse gas reduction targets in our climate action plan that was produced some three or four years ago. That is 6% below the 1990 levels by 2014, and a 15% reduction in greenhouse gas emissions by 2020. It would help establish Ontario as a competitive player in the lower-carbon world that is bound to come.

Ontario is demonstrating leadership by taking concrete action now to combat climate change: by phasing out coal, as we're doing by 2014; making landmark investments in green energy through the Green Energy and

Green Economy Act; transit—over \$10 billion of investment over the next number of years; and working with other forward-thinking jurisdictions to develop a cap-and-trade system.

Just yesterday, I tabled our government's climate change action plan 2008-09 annual report, which shows the significant progress Ontario is making in cutting our greenhouse gas emissions. I should thank some of the environmental groups that came out in favour of the plan that was filed yesterday.

As part of our memorandum of understanding signed in 2008, Ontario and Quebec are working on the design and implementation of a system in conjunction with the Western Climate Initiative. We need to implement this system that would ensure broad access to trading, establish a level playing field for industry and help protect us from the risks of potential border measures on Ontario exports, particularly into the United States.

Just this week, we put in place a greenhouse gas reporting regulation, a vital step toward the implementation of a cap-and-trade system. All companies that are emitting more than 25 megatons per year have to start reporting in 2010. The reporting requirements are compatible with the new US reporting rules. While the federal government has indicated that it would align with the US and is waiting for US legislation, we are actively engaging our US counterparts—states such as California—to inform the development of a consistent approach.

An effective cap-and-trade system must exist within a harmonized and broader North American context. We have been consulting broadly over the last year to ensure that we have a cap-and-trade system that can link with the other emerging systems. I would like to take a moment once again to thank everyone who responded for their contributions, including all honourable colleagues on both sides of the House, particularly those who have been involved with the committee work.

We consistently heard that auction revenues from cap and trade should be used to support greenhouse gas reductions in sectors covered under the system. We are looking at providing support to capped sectors through a greenhouse gas reduction account to be set up by using revenues generated through a cap-and-trade system from the auctioning of credits. This would build a stronger and greener economy through support for transformative technology. The resulting innovations would mean reduced greenhouse gas emissions and the creation of new jobs, and would help boost our global competitiveness.

If the bill is passed, it would also provide the flexibility to identify additional greenhouse gases. This would

mean that we would adapt to evolving signs and new cap-and-trade developments that may occur in the US and around the world over time. Given the current lack of progress on the federal front, it is more important than ever that we continue to move forward with purpose and concrete action to reduce our greenhouse gases in Ontario.

We are serious about fighting climate change while building a strong, greener economy for this province. We are serious about showing real leadership to deliver Ontario's progressive reduction targets. Our government is confident that a fair and equitable cap-and-trade system would help us achieve our goal of sustainable prosperity for generations to come. This is legislation I'm very proud of, and I think the government and all of us can be proud of it. I urge all members to offer their full support.

The Acting Speaker (Mr. Jim Wilson): Further debate? The honourable member for Oxford.

Mr. Ernie Hardeman: I stand to address this government made-for-TV—and not much more—answer to climate change. While the calendar has changed and the committee deliberations have concluded, not much has changed with Bill 185.

Before I get into the problems with this bill, I want to make it clear that I support, and our caucus supports, protecting our environment. As someone with an agricultural background, I know very well the relationship we have with our land and how much we depend on it for our survival. As someone with grandchildren, I want to ensure that we are protecting the environment for them and their grandchildren.

That is why I think it's a sad day today that we can only get 15 minutes per party to talk about this important issue. I think it's a shame that the government is so busy trying to rush things through this Legislature that they can't wait to make sure they have the bills right. In fact, because they introduced a time allocation motion earlier this week, we had a day of debate on whether we would be able to debate this bill, instead of spending that day debating this bill. Mr. Speaker, I'm sure you will agree that talking about whether you are allowed to continue the debate is not the best way to spend your time.

I'm sure you are aware that as we are considering this proposal of cap and trade, Denmark will be hosting leaders from across the world to discuss the global approach. Indeed, Denmark's Prime Minister raised the stakes for next month's United Nations Climate Change Conference in Copenhagen by inviting 191 world leaders, including President Obama and Prime Minister Stephen Harper, to attend. Will Minister Gerretsen and the Premier be attending to put forward Ontario's plan to solve this international problem?

0910

Hon. John Gerretsen: Yes.

Mr. Ernie Hardeman: Thank you, Minister.

The decision to invite the leaders from across the globe comes at a time when the summit's original goal of forging a broad global agreement to reduce greenhouse gas emissions appears to be in jeopardy, officials say.

"Your personal attendance is a pivotal contribution to a successful outcome," Danish Prime Minister Lars Rasmussen, who is hosting the December 7 to 18 summit, said in a letter to the heads of state.

Negotiations prior to the summit have been deadlocked over several issues, such as how much rich countries should pay poor ones to help them adapt their economies to pollute less. Negotiators have been working to draft an agreement to replace the 1997 Kyoto Protocol which expires in 2012.

Whatever the outcome, we need to remember that while we need to do our part provincially, what really is needed is global answers to a global problem. And as I said, we only have a short time today to discuss this bill and what this province proposes to do about emissions in Ontario through cap and trade.

Here is how a cap-and-trade program works; in this case, we'll use the power plant example. First, the amount of allowable carbon emissions for power plants above a certain size threshold is decided based on emissions in previous years—that's the cap.

The government—nationally, provincially or regionally—issues allowances, each of which would cover one metric tonne of emissions of a particular pollutant, in this case carbon. Plants would measure and report their emissions annually, then surrender enough allowances to cover those emissions.

Cap and trade contrasts traditional command-and-control systems, involves specific rules and regulations on the amount of pollutants a plant could emit, and could be as specific as the amount per hour.

Companies would get those allowances based on a specific formula for the pollutant and comply with the regulations in a number of ways. They could reduce emissions by installing technology, cut the utilization of a unit or burn a cleaner fuel. Regardless, the companies have to have allowances to cover their emissions. If they are still needed, they can turn to the marketplace and buy allowances from someone else. That is the trade.

In basic terms, the underlying economic theory in cap and trade is to make it more expensive to emit pollutants. Here in Ontario, Hugh MacLeod, climate change secretariat, gave a brief synopsis to the committee on this province's approach—an approach that is furthered by Bill 185.

"In 2007, the government introduced Ontario's climate change action plan as the framework for action to reduce greenhouse gas emissions. The action plan established the following global greenhouse gas emissions reduction targets: 6% below 1990 levels by 2014—the 1990 baseline is in keeping with the UN Framework Convention on Climate Change; 15% below 1990 levels by 2020; and 80% below the 1990 levels by 2050. These GHG reduction targets signal Ontario's strong commitment to taking real, measurable action to reduce greenhouse emissions."

I will tell you that south of the border, where similar cap-and-trade plans and debate are occurring, there are issues that this government seems to be ignoring. Both US industry and consumers are rightly concerned, cost

being the main factor, about what it will do to the already struggling overall economy.

A US Treasury document indicates that not only could cap and trade cost \$300 billion annually, but domestic policies to address climate change and the related issues of energy security and affordability will involve significant cost and potential revenues, possibly up to several percentage points of the annual GDP—\$300 billion and several percentage points of the annual GDP. While the government may tell you otherwise, the cap and trade certainly comes at a significant cost.

As for the American consumer, “The US Treasury Department admits that a ‘cap-and-trade’ system for regulating greenhouse gas emissions could cost every household \$1,761 a year, the equivalent of hiking personal income taxes by about 15.%. ” I just point out that’s also approximately the same average it will cost the average Ontario family for the HST.

In West Virginia, Governor Joe Manchin is worried about the hit his coal-rich state will take if the price of allowances gets too high. “A \$20 to \$30 cost of allowance could double the price of coal per ton, putting coal-fired plants at a competitive disadvantage,” he said.

A much lower amount for CO₂ emissions, such as \$5 or \$6 per ton, would mitigate the hit to consumers and the overall economy. “If the rest of the world doesn’t follow suit, their energy is going to be much cheaper, especially the coal-fired units that are in China and India and all these developing nations.” Higher energy costs locally, cheaper manufacturing costs to an already taxed sector in a downturn: Governor Manchin is concerned that “we’re going to lose more jobs,” and I think we should be concerned about that in Ontario. Further, in Manchin’s West Virginia there are concerns that increases in energy costs under cap and trade will impact expenditures throughout the state.

We should all be concerned in the way we approach this. Many are saying, “Just what will the economic impact be to Ontario?” We continue to ask, and we continue to receive no answers. During the committee meetings, Mr. Barrett attempted to introduce amendments to ensure that the plan is costed before moving forward, and again we were denied. This government never seems to want to talk about cost. That’s how we wind up with a \$24.7-billion deficit. My question again is: What are the costs; what is the impact of this on Ontario?

In the meantime, as Ontario, and indeed US, lawmakers work on the details of cap-and-trade carbon dioxide legislation, they need to know what Europeans already know: When trying to slow down global warming, beware of unintended consequences.

Consider the example of Kollo Holding’s factory in the Netherlands. A silicone carbide maker, they used the waste gases to generate energy and installed the latest pollution control equipment. But Europe’s emission program has driven electricity prices so high that the facility routinely shuts down for part of the day to save money on power. The plant has laid off 40 of its 130 employees and trimmed production. Two customers have turned to cheaper imports from China.

They aren’t the only ones suffering. French cement workers fear they are going to lose their jobs to Monaco. German homeowners pay 25% more for electricity than they did before the caps. In the meantime, because of lobbying by well-connected companies, the EU’s limits on emissions ended up being higher than the actual emissions. As a result, fewer companies than expected had to buy emissions credits and the price of carbon allowances, which had topped \$30 per tonne of carbon in 2006, crashed to about \$1 per tonne in 2007.

Germany boasts that it has cut emissions to 18.4% below 1990 levels, but nearly half that reduction was because of sagging industrial output. I hear similar boasting of emissions reductions in Ontario, and I fear there are few on the other side of the House who understand that most of that reduction reflects reductions in jobs and industry itself. It’s easy to cut your emissions when you are losing your manufacturing sector to a failing economy.

In a report entitled *The Expensive Failure of the European Union Emissions Trading Scheme*, the TaxPayers’ Alliance spells out a foreboding story of what could go wrong if we tread the wrong path. The report indicates that the European Union emissions trading scheme, introduced in January 2005 as the centrepiece of the European Union policy response to the threat of climate change, is the largest cap-and-trade scheme in the world, covering over 11,500 installations across all the member states and Norway. Again, as in North American cap-and-trade schemes, the theory behind the scheme is simple: A limit is placed on the amount of carbon dioxide that can be emitted in total, and firms are then allowed to trade the right to emit, which produces an effective price on emissions. It should mean that reductions take place where it is most affordable to do so.

However, as the Europeans have learned, things have been far more complex in practice. There have been disputes, some reaching the European court of justice, over the national application plans drawn up by the different countries, which have to set out the right level of emissions for the thousands of installations covered by the scheme.

The emissions price has been so volatile that energy companies and environmentalists have called for intervention to put in place a minimum price. There has been concern that energy companies have reaped billions in windfall profits. Most importantly, the scheme appears to have imposed a substantial bill on consumers and manufacturing industries. The emissions price has rapidly fallen by a third or more a number of times since the ETS was put in place in 2005.

0920

“In 2005, the price fell from €29 per tonne on 11 July to €18 per tonne on 22 July.” It eventually declined effectively to zero for much of phase 1, falling below €1 per tonne in February 2007 and then continuing to decline. “This complete collapse in the price has been attributed to many of the participating countries allocating an excessive number of allowances....” This price tracking is courtesy of Matthew Sinclair of the British TaxPayers’ Alliance.

"This substantial volatility in the emissions price has important consequences:

"It makes it harder for firms and families to effectively manage their affairs as it makes their costs less predictable" and expensive.

It also "weakens the incentive produced by the carbon price to make investments that reduce emissions ... 'Wild fluctuations create a risk that deters some investors altogether and makes others demand a significant risk premium, putting up the price of capital.'"

But "fixing the price would call into question the entire point of the trading scheme."

While volatility in the price has so far taken the form of collapses, they say there is no reason to think that similar volatility cannot take the form of a sharp increase in the price.

Meanwhile, another problem that has emerged is that, as seen in the European example, "energy companies make windfall profits" under the emission trading schemes while the little people suffer. The bottom line is, as the TaxPayers' Alliance tells us: "It is increasingly clear that the ETS just isn't working. The carbon price is so volatile that energy companies and environmentalists are calling for it to be fixed while ordinary families and manufacturing firms have to cope with the unpredictable addition to their energy bills. Windfall profits for energy companies are paid for by the poor and the elderly. We estimate that the total bill to consumers across Europe has been between €46 billion and €116 billion" since this scheme started, "with British families paying more than £117 in 2008. As the permits are increasingly auctioned, that will just mean that the scheme is another tax, and a regressive one, supporting excess public spending."

The report goes on to conclude that "policy in this area is clearly a long way from serving the interests of ordinary families, who are paying a high price for such a flawed attempt to cut emissions. Their money is even spent on legal fights in the European court of justice to tighten the scheme and increase their electricity bills further."

While we consider this government's completely inadequate and costly remedy for an international problem, it's important that we consider the actions of the international community. We have mentioned the upcoming Copenhagen meeting, the US concerns and the European experience. What of the so-called BRIC group of countries—Brazil, Russia, India and China? Well, the BRIC is expected to overtake the rich countries in primary energy consumption by 2030. Given the fact that particularly the latter three are already some of the greatest utilizers of fossil fuels, with little in the way of emission reduction technology, our provincial attempts will unfortunately have little impact other than to force our industries to move out of Ontario to somewhere else with fewer environmental controls.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Tabuns: What we have before us today is a tag-along bill, a weaker, paler version of initiatives that have been taken in other countries. I know that the

Minister of the Environment, when he introduced this bill, talked about Ontario leading the way. Well, for a jurisdiction that's leading the way, it has been made very clear that we aren't going to have anything solid in place until we see what everyone else is doing, and then we may or may not throw in our own two cents.

This is a bill that has no reduction targets. It doesn't show what the percentage reduction in emissions from industrial emitters will be. It does not have a target for total megatons of reduction in greenhouse gases. It is a free-floating empty vessel, and frankly, we need an awful lot more than that.

When I talked about this the other day in the Legislature, the minister seemed to take some umbrage with the idea that he didn't have targets. Well, frankly, yesterday in a little-noticed, little-heralded report on greenhouse gas emissions—this government's climate change policy—if you turn in that document to the page that talks about cap and trade, there is no target for achievements in reduction from this particular policy initiative.

That report, by the way, was released in the morning. The Premier didn't talk about it in his scrum. There was no question planted in the House by a backbencher to ask the minister what exactly had been achieved, what wonders had been brought forth on this earth by the Liberal government. There was no ministerial statement heralding the groundbreaking, epic-making steps that this government had taken. What we had, really, was a document that was released in as quiet a manner as possible. I guess the reality is they could have released it on Christmas Eve and buried it even more deeply.

This report is an orphan, and frankly it is no surprise that the report is an orphan. If you read it, the government is saying very plainly that the policies it has in place today will not allow it to achieve the targets that it has proclaimed it will be taking on to deal with climate change. An announcement that you're not meeting your targets, that you don't have the pieces in place to meet your targets, is of consequence.

The bill before us, the cap-and-trade bill, has very significant loopholes in it that are of consequence to this province, to this country and to the people of this world. One of the items in it is a provision for offsets, a way for polluters to buy permission slips so that they can continue polluting. Substantially, significantly, both the Pembina Institute and the David Suzuki Foundation, when speaking about this legislation, when writing about this legislation, said that there should not be offsets and if they did exist that they had to be an extraordinarily minor part of the operation. That is not in this legislation. Offsets are given free rein.

Frankly, if this government's intention is to follow the Waxman-Markey bill in the United States, the American cap-and-trade legislation, then the reality of analysis there is that the emissions, the pollution, from fossil fuel burners in that country will continue unabated at current rates till 2020; that in fact that bill will have very little impact on actual emissions from that country, and permission slips will be handed out at a tremendous rate.

This bill does not block the issuance of free credits to companies, and the reality we've seen in other jurisdictions is that issuance of those free credits has led to some companies securing windfall profits at the expense of the environment and at the expense of the economy. That was not set aside in this legislation. This legislation did not embrace a regime in which all credits had to be auctioned, a substantial weakness and failing in this bill.

One of the points I raised in the course of the clause-by-clause was prohibiting Ontario Power Generation from selling the credits that it might realize by reducing its coal operations. I wanted that to be touched on because that, as a centrepiece of this government's actions, may well be—and it's not clear yet that it is—used to sell credits to other jurisdictions so that their coal plants can continue to go full out while we here in Ontario deal with a government that will say it has acted in the greatest of virtue and shut down or reduced its coal emissions, while at the same time making sure that other jurisdictions can proceed undaunted, having gotten permission slips from the principal here in Ontario.

What we have before us is a package into which the government may pour just about any regulation that it likes; a package that does not have a target for reduction of greenhouse gas emissions, does not have requirements that it will actually reduce the consumption of fossil fuels; a package that does not deal with the necessity of funding the transformation of our economy by making sure that workers whose jobs may change or may go get the sorts of support for just transition into other employment. This is a package that does not provide for funding for those people whose livelihoods have been disrupted or, in some cases, changed radically by the impact of climate change itself. And that is of consequence.

I ask this government to come forward with a package that will actually make the difference that is needed in this country, in this province. We may well vote for this legislation, but I can't say we do it with any enthusiasm whatsoever.

0930

The Acting Speaker (Mr. Jim Wilson): Further debate?

Ms. Helena Jaczek: I'm pleased to join in third reading debate on Bill 185, the proposed Environmental Protection Amendment Act (Greenhouse Gas Emissions Trading). I'm proud to stand in support of this bill, which builds on the concrete action the McGuinty government is taking to reduce greenhouse gases and combat climate change.

During the many years I was the medical officer of health for York region, I became really alarmed about the health problems, particularly the increased incidence of childhood asthma and premature deaths, resulting from air pollution that had been so well documented in our province by the Ontario Medical Association.

Globally, we have seen the rise of certain infectious diseases, and our current scientists and health professionals believe it's directly linked to our changing environment. We must move quickly if we are going to reverse

the already noticeable and potentially catastrophic effects of global warming. Too many incidents of extreme weather, the ongoing destruction of ecosystems and the retreat of glaciers have served as clear warnings of the frightening consequences of maintaining the status quo. As a parent, I'm deeply concerned about the kind of world my children and their children will inherit.

I'm encouraged by the leadership Ontario has shown in tackling this problem. Over the last several years, our province has worked hard to become a leader in conservation and in renewable energy conservation. We are starting to reap the rewards of those initiatives through cleaner air and water and through the emergence of a green economy.

We have been tackling climate change on many fronts for a number of years. Our government's 2007 climate change action plan set out progressive and ambitious targets to reduce greenhouse gas emissions: 6% below 1990 levels by 2014 and 15% below by 2020. Yet there is much more work to do to translate these goals into action. The clock is ticking. Every level and every sector of our society must be involved in addressing the root causes of climate change. We, as legislators, have a responsibility to preserve this planet and its abundance for future generations. As Minister Gerretsen has stated, Bill 185, which enables a cap-and-trade system to be developed, is the next important step in our efforts to address climate change and to help us reach our reduction targets.

We believe that Ontario's cap-and-trade system needs to be fair to industry and harmonized across a wide geographic area to create a level playing field. Ontario has been working diligently to do just that as part of the Western Climate Initiative, a partnership between our province, Quebec, Manitoba, BC and seven US states, who are all working towards a greener environment.

Cap and trade would drive new investments in those vital green technologies of tomorrow. It would create new products and processes along with new opportunities in the financial markets to support carbon trading, and it would help create new jobs for Ontarians in a number of different sectors. Cap and trade will be a reality in North America in the not-too-distant future. The momentum is growing here and in the US; it is already a reality in the European Union and has been since 2005. We can learn from the experience there to build our system here. A cap-and-trade system is in the works for Japan, Australia and New Zealand. Cap and trade works.

Since 1990, Ontario has also had its own cap-and-trade system in place for acid-rain-causing nitrogen oxide and sulphur dioxide. Although cap and trade is a mature idea, its practical application to greenhouse gases is a phenomenon that is only now coming of age. It's clear that the places that are striving to build a new sustainable green economy will be the places that succeed in attracting investment and creating prosperity. Transforming to a more sustainable framework for our world economy will benefit our environment, reduce pollution and foster the new technologies and green processes that will give rise to the green jobs of tomorrow.

Ontarians and Canadians are looking to governments to take action on climate change. They understand the seriousness of this challenge. They know we have a responsibility to take action and they support that action. People across our province are going green. They are demanding products and seeking information that will help them reduce their own carbon footprints.

Bill 185 is about reducing greenhouse gas emissions, it's about reducing pollution, it's about ensuring a stable, successful green economy and it's about doing our part. We all want to ensure that future generations have a high quality of life and a secure, prosperous way of life.

For all these reasons, I urge all my colleagues in this House to join me in supporting Bill 185.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Ms. Cheri DiNovo: It's a privilege to stand, following on the heels of our member from Toronto–Danforth, a former executive director of Greenpeace who surely has more credentials in the environmental field than anyone in this House, and to hear him speak about the inadequacies of this bill.

What we're in fact, though, speaking about in this House, for those listening and watching at home, is a closure motion, a time allocation motion—yet another time allocation and closure motion—to shut down debate on this bill. So that in itself is egregious. That in itself is something that would prompt New Democrats to stand on their hind legs and howl and say no, and we will.

But to talk about the bill itself, we have to keep it in context. This is a government that has been promising to shut down the coal-firing plants since they were elected in 2003, and every time we turn around, the date is pushed off into the future yet again. If this were a government that's serious about doing something about the environment—and I couldn't agree more with the member from Oak Ridges–Markham in terms of what we all want. The question is, how are we going to get there? This is a government that is not taking the baby step—and it's a baby step, but a dramatic baby step—of cutting down and in fact closing the coal-firing plants. If they don't do that, everything else is for naught, and they're not doing that.

Again, the member from Toronto–Danforth referred to the inadequacies of this bill. It calls itself a cap-and-trade bill, but it's not. I call it a shuffle-and-sham bill, a typical Liberal bill that calls itself one thing and in extreme Orwellian terms does something very, very different.

So does it cap? No, it doesn't really. He mentioned the reality of being able to buy your way out of the situation: being able to pay to pollute. Cap and trade does not mean pay to pollute. If you have offsets, you have a system where you can, and are able to, pay to pollute, and people will. Pembina and Suzuki and everyone else have commented about that aspect, and they've commented, of course, about the inadequacies of this.

My friend, again, from Toronto–Danforth commented on the quietly released environmental report by this government, a release to no fanfare; why? Because essential-

ly it said they're not on target to meet their targets. That's what it said. Needless to say, the public didn't hear about that. Needless to say, we didn't get a chance to debate that in this House, and won't, or to raise it too often because, again, we're dealing with time allocation and a way of shutting down this Legislature.

I think of another classic Orwellian move where the environment is concerned, and that's their MoveOntario 2020 plan. This is great. Talk to anybody in the city and they'll say it's great: Move 2020. Only elect them over and over again, at least three times, and then maybe we'll see the fruition of that plan. Certainly, for all of the fanfare of that plan, the song and dance and the spin, the money isn't there. "Where's the money?" say the TTC, who are always scrambling and are always running in deficit, it seems, these days.

Where is this government on public transit? Well, the simple reality is that they're nowhere. The simple reality is that they're nowhere on public transit. They say they are, but they're not, in the same way that this bill says it does something, and doesn't. There are no reduction targets. Simply put, that's again a serious problem. If you don't have reduction targets, then what is the point? Again, shuffle and sham. Shuffle and sham, not cap and trade.

0940

Listening to my friend from Toronto–Danforth, I'm moved on behalf of the constituents in my riding and across this province to really bemoan the lack of action. But, hey, spin away: have photo ops, cut ribbons, announce plans that won't have fruition for another 15 years, and hope that people buy it, when in fact people don't. People really do see beyond this, and if they don't see beyond it right now, they certainly see beyond it when—if they're in the environmental movement—the cheque never does arrive, the cap never does get imposed, the offsets keep getting bought and nothing changes.

Again, I point to their own environmental report. Nothing is changing. Nanticoke still fires away. Children still are getting asthma at record rates. Gradually and, unfortunately, more and more quickly, our whole planet is moving in a dangerous direction, and certainly this province is, and yet this government is satisfied with something that sounds good, that has no substance. That truly is sad. The question might be for somebody watching this: Between Liberals and Tories, what would you prefer—a government that says they'll do little and then does little, or a government that says they'll do a lot and then does little?

The Conservatives traditionally and federally, as we see with great horror, say they'll do little and, quite frankly, deliver little on the environment. The Liberals say they're going to do a lot and then deliver little on the environment. What would you prefer as an environmentalist? I say that both are unacceptable. It's unacceptable to do little and say you will do little; it's equally unacceptable to say you're going to do a great deal and then do little, make a lot of noise and then deliver very, very, very little. That's what the shuffle-and-sham bill called

cap and trade actually does. It'll be interesting to see if, after two full terms of administration here, the original promise to close the coal-fired plants is even one inch closer to fruition. That will be interesting to see. That's hard data. That's a real action, and that is not happening and, again, shows no signs of happening.

It will be interesting to see if any significant amount of money—and one wonders where it would come from, with a \$25-billion deficit—goes towards transit. Our transit system is the least well capitalized per capita system of just about anywhere in the developed world. That's not really the responsibility of the city of Toronto, quite frankly: that's the responsibility of the provincial and federal governments. We need a national transit plan; we don't have one. We need a provincial plan; we don't have one—but we do have announcements. We have announcements but, hey, not a lot of money. Meanwhile, we are running diesel trains through my neighbourhood at the rate, they say, of about 400 a day. That's actually in the works. That's actually going ahead.

If this government wonders why people in ridings really don't buy them as green, those are the reasons. And this bill does nothing to change that. What people see who look is that nothing is changing. If they listen, they hear that something might, and that's the best we get.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Phil McNeely: It is strange to hear the words we've heard from the third party this morning. I'd like to start off by just looking at what Canada signed as the Kyoto agreement some years ago. We're going to be following those requirements in Ontario to meet the Kyoto objectives. That's what Minister Gerretsen spoke about this morning.

We're doing many things in Ontario. We're going to reach those Kyoto targets, even though the federal government has not looked at it. We have the third party in British Columbia, which voted against all the environmental leadership that the Liberal government in British Columbia was doing. They're doing the same thing here, instead of joining us on good legislation from the very beginning. We're going to be 6% below the 1990 Kyoto levels of emissions by 2014, 15% by 2020; and we're on target to do that. Closing of coal is going to happen, and that's all the people in Ontario are going to be paying for—closing of coal—but of course it's happening now. I think 35% of our objective is met. These are important initiatives that Ontario is taking.

I haven't spoken to the Green Energy Act, which I was involved with, with Minister Smitherman—the Green Energy Act, which was so well supported across this province and has led to our plan for the future: renewable energy generation, the feed-in tariffs, the grid access, the streamlined approvals in order to get the renewables up and running so that we can close our coal-fired plants.

Energy efficiency and conservation: I was proud to represent this province on behalf of Minister Smitherman in Halifax a year ago. We were showing that conserv-

ation, the way we're doing it and the plans we have, will eliminate the need to increase our generation over the next 20 years. Six thousand megawatts is the growth in our needs over the next 20 years and that's going to be met by conservation and renewables. We're doing that. That's what the Green Energy Act was about.

We're going to support a lot of communities that will be able to bring in renewables: the aboriginal communities and the remote communities.

So there are all those initiatives that have been taken by this government, and it hasn't been short-term; it has been planned. We set the objectives, we got our plan in place, we got the Green Energy Act in place and now we're over to cap and trade. Of course, you can criticize cap and trade, but we're doing that with our neighbours in the US, with Manitoba and with Quebec. We've signed a memorandum of understanding with Quebec which is going to cover at least half of Canada and more if you put our two populations together.

These are all initiatives that are very important. Ontario is showing the leadership. We're getting recognized that way and I think it's really important to congratulate Minister Gerretsen for bringing forward this cap-and-trade bill which is the next stage of Ontario leading North America in green energy.

The Acting Speaker (Mr. Jim Wilson): Further debate? I believe we've used—did the NDP have any more time? No. There's just one more minute left for the government side.

Seeing no further debate, pursuant to the order of the House dated December 1, 2009, I am now required to put the question.

Mr. Gerretsen has moved third reading of Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Orders of the day? The Honourable Minister of Citizenship and Immigration.

Hon. Michael Chan: No further business.

The Acting Speaker (Mr. Jim Wilson): This House stands in recess until 10:30, at which time we will have question period.

The House recessed from 0948 to 1030.

INTRODUCTION OF VISITORS

Mrs. Liz Sandals: I'm delighted to introduce my constituent Una Murray, and her sister, I believe, Marjory Parkin. They're here to celebrate with her granddaughter, Paisley, who is a page. Welcome to Queen's Park.

Mr. Charles Sousa: I would like to welcome to Queen's Park the family of page Iman Kassam, from Mississauga South, who led today's procession. She's joined today by her father, Ayaz Kassam, her uncle, Shiraz Jaffer, her aunt, Judy Jaffer, her grandmother, Nazlin Fazal, her other grandmother, Gulshan Habib, and her mother, Tazmin Kassam. I don't think they've arrived just yet but they will be here soon. I'm talking more to delay, in hopes that they will be here, to acknowledge them. But to all, on Hansard, welcome to the House.

Mr. Yasir Naqvi: I welcome Blake Batson, who is a resident of Ottawa, to the Legislative Assembly.

The Speaker (Hon. Steve Peters): On behalf of the member from Niagara Falls and page Alana Fansolato, we'd like to welcome her godmother, Ingrid Balinski, and her godmother's friend Cathy Stevulak to the gallery today. Welcome.

Also, I'd like to take this opportunity to welcome, up in the Speaker's gallery today, my brother Joe. Joe Peters, welcome. Maybe you should grow a moustache so we can trade jobs.

Hon. John Milloy: I'd like to introduce guests from my community who are with us today, Charlotte Craven and Ann Bilodeau. I know members will join me in welcoming them to Queen's Park.

Ms. Lisa MacLeod: In the west members' gallery, Blake Batson, an Ottawa blogger and former council candidate in the city of Ottawa, and a recent deputant at the finance and economic affairs committee, is here. He's opposed to the HST.

Mr. John Yakabuski: Goodbye, Charlie Brown.

Ms. Lisa MacLeod: Goodbye—

The Speaker (Hon. Steve Peters): Introductions? The member for Brant on a point of order.

MEMBER'S BIRTHDAY

Mr. Dave Levac: I rise today—but before we do: Don't shave the moustache. I think it's apropos for you.

The member from Northumberland—Quinte West, the unofficial leader of the rump, is celebrating a birthday today. I want to say happy birthday to Lou Rinaldi.

The Speaker (Hon. Steve Peters): Happy birthday.

There being no further introductions, it is now time for oral questions.

ORAL QUESTIONS

GOVERNMENT ACCOUNTABILITY

Mrs. Christine Elliott: My question is for the Premier. On Monday, Ontario's Auditor General will release his report on several agencies and programs, including health agencies, the Education Quality and Accountability Office and the Workplace Safety and Insurance Board. Premier, how many investigations will the auditor say you blocked this time?

Hon. Dalton McGuinty: I appreciate the question but I can't agree, of course, with the underlying premise.

We commend the auditor for his work. In fact, we've asked him on a number of occasions to get directly involved in taking a look at some things which we think are worthy of closer examination. I think in pretty well every instance we have publicly—in fact I'm sure of this—welcomed his reports, accepted his advice and adopted his recommendations. He's continuing in his good work and we look forward to receiving that.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: A pattern has developed where Premier McGuinty treats a report on his waste and scandal like it's a communications exercise.

You'll do anything to hold on to your secrets. When the auditor reported on the \$1 billion wasted at eHealth, you did a controlled leak of bits and pieces of information beforehand and then dumped boxes of Cancer Care information during the auditor's press conference. You're the first Premier to use a scandal to hide from another scandal. Premier, what do you have planned this time around?

Hon. Dalton McGuinty: I think that is the opposition's somewhat roundabout way of thanking us for providing so much information to them. They had originally criticized us for not providing an adequate amount of information. We've provided a tremendous amount of information. Now they are saying that they're being inconvenienced by the time at which we introduced the information.

The important point is that we have introduced a tremendous amount of transparency into the work that we do here. We've changed a number of rules to heighten accountability and transparency. There's always more to be done, and we look forward, once again, to receiving the auditor's report, reviewing his advice and, undoubtedly, fully welcoming his recommendations.

The Speaker (Hon. Steve Peters): Final supplementary.

Mrs. Christine Elliott: Actually, the point of the question was to show that Canada's worst government is also Canada's most secretive government.

Over the past few months we've uncovered how you wasted \$1 billion on eHealth contracts, many of which were not openly tendered. You buried the Deputy Minister of Health's salary in hospital budgets without telling anyone, and now you're pulling the same trick with Sudbury hospital and the McKinsey contract. You protect your secrets while quietly ushering Liberal friends like Deputy Premier George Smitherman and rainmaker Jeff Smith to the back exit. And while Ron Sapsford initially survived the purge at eHealth, he suddenly announced his early retirement. Premier, did he leave because of eHealth, or is there something else coming up in the forthcoming Auditor General's report?

Hon. Dalton McGuinty: My honourable colleague has adopted an approach which I think is unbecoming. She has picked up a big brush with tar and is less than careful in terms of how she uses that brush.

The auditor has made a number of things clear, including the fact that we have been much quicker at adopting his recommendations compared to previous governments.

If we make mistakes, I like to think that we have the wherewithal to admit to those and to take steps to fix those. The auditor is apparently coming out with more advice and recommendations on Monday. We look forward to receiving those, and in fact we would welcome any advice that he offers to us on an ongoing basis.

GOVERNMENT'S RECORD

Mr. Peter Shurman: My question is also for the Premier. We know that you're desperate to get out of here and lick your wounds. It's been a rough session for you, starting with the summer of scandal, a \$25-billion deficit, one broken job promise after another—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Order.

I recognize that this has been a long week for many members, but we still have serious business to conduct on behalf of the citizens of Ontario, and part of that is through the forum of question period.

The member from Thornhill.

Mr. Peter Shurman: The list again—and it has been a rough session for you, Premier—the summer of scandal, a record \$25-billion deficit, one broken job promise after another, ramming through a sales tax grab. What's next? Stay tuned.

There's Steve Mahoney and the Workplace Safety and Insurance Board; hospitals paying bureaucrats' salaries; the McKinsey contract; Cancer Care Ontario; untendered deals for the Maid of the Mist; Casino Niagara; and whatever else Bob Lopinski, Karli Farrow, Jason Grier and your former deputy are up to. And—oh yes—my personal favourite, the Windsor Energy Centre. You built a wall around yourself—

The Speaker (Hon. Steve Peters): Premier?

1040

Hon. Dalton McGuinty: It's good to know that my colleagues haven't lost their sense of humour. It's been an interesting week for all of us, but I think particularly interesting for the members of the Conservative Party.

We've had a productive session. I'm proud of the progress that we've made on behalf of Ontarians. I'm especially looking forward to putting into place our package of tax reforms. It includes personal income tax cuts, cost savings for our businesses and, of course, the harmonization of our provincial sales tax with the federal goods and services tax. The package of reforms, in its entirety, is designed to create nearly 600,000 more jobs exactly at a time when we need that kind of progress on behalf of the people of Ontario.

There's still time for the Conservative members to join us in our support for this package of tax reforms.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Shurman: Premier, there are several questions that you still haven't answered, like who got rich off the \$1 billion of taxpayers' money handed out to eHealth? You know the answer because you did the deals. Instead of telling us what you know, you spin the situation your way by telling Ontarians that you fixed things, that you adopted the auditor's recommendations. Well, while the recommendations help prevent the public from being ripped off in the future, knowing who got rich off eHealth contracts is the first step in recovering what was wasted this time around. Will you give up your dirty little secret and tell us whom you are protecting?

The Speaker (Hon. Steve Peters): I would just ask the honourable member to be choosing his words more appropriately.

Premier?

Hon. Dalton McGuinty: I've always said, having spent a great deal of time in opposition, that the opposition has a valuable role to play, but I think there are even some limits around what we can do in opposition, as there are—appropriately—for us in government.

One of the things I look forward to is to receive a positive proposal from the Conservative Party, especially when it comes to securing a bright future for our families. They are rejecting our package of tax reforms. They're rejecting our personal income tax cuts, something they've called for in the past. They're rejecting our tax cuts for our businesses so that they can grow stronger and hire more Ontarians, something they've also called for in the past. They're rejecting our plan to harmonize the provincial sales tax with the federal goods and services tax, something they've also called for in the past.

The Speaker (Hon. Steve Peters): Answer.

Hon. Dalton McGuinty: We know what they stand against, but on behalf of Ontarians, it would be good to know at some point in time what they stand for.

The Speaker (Hon. Steve Peters): Final supplementary?

Mr. Peter Shurman: Good luck on calling for the answer, Speaker.

A Premier should protect the public and not his friends. You used to believe public involvement was important when you said, "Public hearings"; those two words go together nicely if you believe in ... democracy.... You called for 17 public inquiries when you were in opposition, Premier. Now the 2009 Dalton McGuinty blocks a public inquiry into eHealth and does everything he can to avoid public hearings on the HST outside his Queen's Park bubble. What happened to the person who used to talk like he put the public ahead of Liberal insiders and his elite friends?

Hon. Dalton McGuinty: I think Ontarians would like to hear a little bit more about what we've done together here during the course of this recent session.

In addition to working very hard on creating those 600,000 new jobs over the course of the next 10 years through our package of tax reforms, we just passed our cap-and-trade legislation. I'm very proud of the work done by my Minister of the Environment, John Gerret-

sen, in this regard—and Ontarians should know it was passed unanimously. That bill is all about we the people of Ontario, privileged global citizens, assuming our responsibility in the face of a global challenge: climate change.

We've also passed our student achievement legislation, which is all about ensuring that all our school boards everywhere, right across the province of Ontario, have student achievement, student growth and progress at the heart of their responsibilities.

We also won the Pan Am Games—and we're proud to have the support of the Conservatives on this particular package—creating all kinds of infrastructure and amateur sporting opportunities for our kids.

TAXATION

Ms. Andrea Horwath: My question is to the Premier. The Premier's unfair tax scheme has touched a nerve in this province. From small business owners to First Nations leaders to the thousands of Ontarians who write to us every single day, people are rejecting this unfair tax. Later today, I'll be joined by Ontarians from across the province who have come to raise their voices about the HST. If the Premier is so sure of the merits of his harmonization scheme, will he join me today and meet with those Ontarians?

Hon. Dalton McGuinty: I'm always grateful for the invitation.

What I want to say is that one of the things I will ask my honourable colleague to convey to the assembled on my behalf is—

Interjection.

Hon. Dalton McGuinty: I'm sure she'll want to bring greetings from me.

I would like her to remind Ontarians about their personal income tax cut that takes effect on January 1. I would like her to remind them that our package of tax reforms has the support of both poverty groups and business groups, economists on the left and economists on the right. In particular, they embrace the fact that this is going to create nearly 600,000 more jobs.

I would ask my honourable colleague to kindly convey that to the assembled on my behalf. I'd be grateful.

The Speaker (Hon. Steve Peters): Supplementary.

Ms. Andrea Horwath: The point of the exercise is to actually listen to the people, not talk to them like this Premier continues to do, without doing any of the listening. The Premier stopped listening, in fact, quite some time ago to the people who elected him.

This week and next, the harmonized sales tax and numerous other bills are going to be passed with limited debate in this chamber. People who wanted to speak at hearings on the unfair tax have been shut out. In Ottawa, the same exact scene is about to play out. People are being told they have to pay more for home heating, hydro, gas in their car and even for their Christmas trees because the government thinks that corporate Canada needs another tax break.

What does the Premier expect the hundreds of thousands of people who reject this scheme to actually do?

Hon. Dalton McGuinty: It is true that the price of some goods will go up; there's no doubt about that. But it's equally true that the overwhelming majority of purchases made by consumers remain unaffected by any tax changes. In fact, 83% of the stuff we buy will see no tax changes. For example, and this is important, there are no tax changes when you buy groceries, when you buy prescription drugs, when you buy your clothing, when you buy furniture, when you buy toys, your tickets to sporting events, your movie tickets, your restaurant meals, your cellphone charges, your home phone services, your cable TV service, your auto insurance, your home insurance, your residential rent, radios, stereos, CD equipment, refrigerators, freezers, computer software, music lessons, pharmacists' dispensing fees, auto rentals, car purchases, car parts and car repairs. There are no changes of any kind on any of those things.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The Premier says his plan will actually help families, but not so long ago, he was rejecting the exact same scheme because it was going to hurt them. He says other provinces will follow suit, but Manitoba just rejected tax harmonization.

The Premier may meet people at Liberal fundraisers who like his particular tax scheme, but if he had the courage to travel the province and learn about a different Ontario made up of the people who will get whacked, it would serve him well. Has the Premier grown so arrogant that he thinks he can ignore these people forever?

Hon. Dalton McGuinty: I'm sure that my honourable colleague understands—

The Speaker (Hon. Steve Peters): Stop the clock, please. We always welcome our guests to the Legislature. We welcome your observation; we just do not welcome your participation, and that includes applause. Thanks. Premier?

Hon. Dalton McGuinty: I just want to make it known that if there's anybody here applauding me, I will not object to that.

Mr. Paul Miller: He was booing you.

Hon. Dalton McGuinty: I know. That's what I'm afraid of.

My honourable colleague, I'm sure, has heard me say in the past that I think the responsibility that we share here is to answer a question that is being asked by Ontarians on an ongoing basis, which is, what do we need to do to grow stronger? And the single most important thing that we need to do to give families this most important advantage—or perhaps even recognize a right that they have in life: a job. We've got to make sure that they've got a job. Everything else comes second to that, and our package of tax reforms is all about creating 600,000 more jobs.

My colleague knows that our world has changed, and we've got to make some changes as well. One of those changes is putting into place a modern, competitive

system of taxation, lower personal income taxes, lower business taxes, a harmonized sales tax—all designed for 600,000 more jobs.

TAXATION

Ms. Andrea Horwath: My next question is to the Premier as well. Last August, the Premier was so convinced that Manitoba would join him and Prime Minister Harper in their unfair tax scheme that he declared: "I wouldn't be surprised if we had another Premier decide to move ahead with this, based on the conversations I had...." But on Monday, the Manitoba government rejected the harmonized sales tax and resisted the overtures of the Harper Conservatives.

My question is this: Is the Premier surprised?

1050

Hon. Dalton McGuinty: I am confident that over time, all the provinces will move towards this. It's not an easy thing to do. If it were easy, then the Bob Rae government would have done it or the Mike Harris government would have done it. That's why we've had the advice of federal Liberals, federal Conservatives and former Premier Mike Harris, for example, to move ahead with this kind of package.

What's enabled us to do this, particularly at this time, is the \$4.3 billion we received from the federal government in support of our move—money which will be passed on directly to Ontarians, and small businesses, as well, to help them make the necessary change to adopt the HST practice in their workplace.

It's high time that we got on with this. We're proud of this initiative. It's not an easy initiative, we understand that, but it's all about 600,000 more jobs for Ontarians.

The Speaker (Hon. Steve Peters): Supplementary.

Ms. Andrea Horwath: The Premier shouldn't be surprised that Manitoba is saying no to the HST. The Selinger government realizes that it's an unfair tax shift from big corporations to people and that a new tax on gas and home heating won't lead to any new investments in important public services in that province. If the McGuinty Liberals were listening to Ontario families, they too would know that a new tax on home heating and gas in the middle of a jobs crisis is a really bad idea.

Is the McGuinty government out of touch, or is it simply that our neighbours to the west are better listeners?

Hon. Dalton McGuinty: That's why we are accompanying the introduction of this package of tax reforms with a cut in personal income taxes, with some three transitional payments to help families through this period of transition.

I ask my honourable colleague to keep in mind, as well, that we are not the first to do this. They've done it in the Maritime provinces. They've done it in 130 other countries. I think it's worthwhile noting that anybody who has ever done this has never undone it. They have never reversed it. Whether followed by a party in government on the left, a party in government on the right or a

party in government in the middle, nobody has ever reversed it. That's why neither the NDP nor the Conservative Party will commit to undoing this. They know that fundamentally this is a good thing for people, it's a good thing for our economy and it's a good thing for our jobs.

The Speaker (Hon. Steve Peters): Final supplementary?

Ms. Andrea Horwath: I beg to differ with the Premier. In fact, Saskatchewan did not go ahead with the HST. When they took government, they didn't implement it. So in fact, he's wrong in saying that nobody reversed it. Saskatchewan reversed the trend towards the HST. But the Manitoba government also stood up for families and politely told the Harper government to get lost. That used to be his government's position.

In March 2008, Mr. Flaherty came to town, telling the Acting Premier to cut corporate taxes. The Minister of Finance called him an embarrassment at the time. But now, they're like two peas in a pod. They believe in the same corporate tax giveaway mythology and preach from the same Jack Mintz bible.

If the HST is, in fact, the single most important thing, why did Manitoba tell Mr. Flaherty to take a hike?

Hon. Dalton McGuinty: I was pleased to get the report of Jack Mintz. He is an economist who is generally acknowledged to be on the right side of the spectrum. But there is another economist who is generally acknowledged to be on the left side of the spectrum. His name is Hugh Mackenzie. And this is what he had to say: "Ontario's 2009-10 budget establishes the right direction for the next few years. It provides substantial economic stimulus. It is consistent with the new orthodoxy that relies heavily on governments to help rebuild damaged economies. It imposes some coherence on an incoherent federal plan. It increases support for low-income families and individuals. It modernizes Ontario's consumption tax."

Again, my colleague can pretend that somehow, somewhere, there is a tight group of economists or thoughtful people who are opposed to this. The fact is, groups on the left and right are equally in favour of our progressive package of tax reforms. They understand 600,000 jobs.

AGENCY SPENDING

Mrs. Christine Elliott: My question, again, is for the Premier. Your former Deputy Premier, George Smitherman, has his fingerprints all over three of the agencies the Auditor General is reporting on. While wasting \$837 million on eHealth contracts with little to no value, former deputy Smitherman also oversaw the assisted devices program, teletriage and long-term-care homes.

Just before the last auditor's report, you shuffled out the member for Don Valley East, who had been left to carry George Smitherman's dirty laundry. Premier, who will take the blame for the member for Toronto Centre this time?

Hon. Dalton McGuinty: There is a process in place, and I'd ask that my honourable colleague respect that. We asked the auditor to take a look at these kinds of matters. He came in, and he had thorough access to everything. He was thorough in keeping with his practice in taking a look at everything that went on, and he made a number of important conclusions which my colleagues in opposition refuse to accept. He was very clear in terms of what he thought was inappropriate. He said there was a lack of oversight. We have accepted that. We've made changes to ensure that there is in fact greater oversight in place.

The kinds of allegations and insinuations that are being made by my colleague are simply not in keeping with the report put out by the auditor.

Mrs. Christine Elliott: We'll wait and see what the auditor's report has to say.

But the report will also be focusing on the Workplace Safety and Insurance Board. The deficit of the workers' compensation fund has doubled each year since your Liberal friend Steve Mahoney became chair. This year, you and Mahoney have become so arrogant that you didn't even file the report for public accounts. Over 600 agencies, boards and tribunals have filed their annual reports for public accounts, but the WSIB didn't. Premier, what is it that you don't want the public of Ontario to know?

Hon. Dalton McGuinty: To the Minister of Labour.

Hon. Peter Fonseca: I want to thank the member for the question. The member talks about the Workplace Safety and Insurance Board and the unfunded liability. As an institutional investor, the WSIB has been hit like all other large institutional investors. It has seen the impact of this global recession, but the WSIB is focused on providing the ability to provide benefits for injured workers.

I know that a colleague of the member opposite is looking to do away with the WSIB. We don't feel that way. I have spoken to employers, labour groups and injured workers. I'll be meeting with the injured workers tomorrow to talk about the benefits that they receive through the WSIB. One thing I can tell the member is, we can't go back to the regressive formula that that member's party brought to injured workers and that cut their benefits.

TAXATION

Ms. Cheri DiNovo: My question is to the Minister of Finance. Yesterday, I hosted a press conference with the Toronto Association of Business Improvement Areas, TABIA. At that event, representatives from TABIA, including retail and real estate, representing 27,000 small business owners in the city of Toronto, told us that more than 80% of all small business owners in Toronto oppose the HST. They oppose the HST because they know it will hurt their customers. They know it will make their goods and services more expensive. They know it will drive many of them out of business.

The question is really a simple one: Why is the McGuinty government introducing a tax that will hurt so many hard-working small business owners?

Hon. Dwight Duncan: I'm delighted the member opposite shared that with me.

I don't agree with them. I have pointed out to a number of small business groups—by the way, many who are supportive of this—that we're in fact cutting the small business tax in Ontario by almost 18%. That's what the member doesn't talk about.

We have to rely on a variety of sources of advice and information with respect to these. We have met with many of them, including business improvement associations, the Canadian Federation of Independent Business and a variety of others. This is the right tax package. It will cut taxes for small businesses. It will lower taxes for consumers over time.

As difficult as this is, this government is committed to creating 600,000 new jobs for Ontarians over the next 10 years.

Ms. Cheri DiNovo: Small business is Ontario's main employer. Today, more than 1.5 million Ontarians are employed at a small firm with fewer than 50 employees. The current unemployment rate in Ontario is 9.3%. In areas like Toronto, it is 9.7%. If these numbers aren't shocking enough, small business owners are telling the McGuinty government that the HST is going to hurt thousands of small businesses. At best, the McGuinty government responds with dubious job projections from a single economist. In a time when Ontario is undergoing record unemployment, the question is, again, why is this government introducing a tax that small businesses are saying will be a job killer, not a job creator?

1100

Hon. Dwight Duncan: There's a group called the Smart Tax Alliance. Let me just give you a few names of who belongs to that. It's the Canadian Chamber of Commerce, the Canadian Council of Grocery Distributors, the Canadian Manufacturers and Exporters, Certified General Accountants of Ontario, the Information Technology Association of Canada, the Ontario Chamber of Commerce, the Ontario Trucking Association, the Ontario Road Builders' Association, the Retail Council of Canada and the Toronto Board of Trade. The small businesses I know are all members of those organizations. I acknowledge that we need to continue to help people understand all of the aspects of this, including the 18% tax cut for small businesses which you are voting against. You ought to explain yourself on that and you ought to tell seniors why you're voting—

The Speaker (Hon. Steve Peters): Thank you. New question.

CANCER TREATMENT

Mr. Yasir Naqvi: My question is for the Minister of Health and Long-Term Care. Over the past few months I've had a number of constituents in my riding who have had some difficulty getting access to the medication they

need. One drug in particular is Avastin, a first-line chemotherapy drug used for the treatment of colorectal cancer. Funding began for this expensive drug, but it was limited to a number of cycles, which is difficult for people struggling with this cancer and their families. I understand that the decision has recently been made to expand access to Avastin. Could the minister explain how and why the decision was made?

Hon. Deborah Matthews: I must say that we are extremely pleased that we have struck an agreement with the drug manufacturer that will enable our government to make Avastin more widely available to those who might need it here in Ontario. It's very good news.

We have the clinical experts who sit on the committees to evaluate drugs. They are charged with the very serious responsibility of making decisions on drug funding based on clinical evidence and cost-effectiveness. Back in May, the ministry initiated discussions with the manufacturer around the funding of Avastin. These discussions accelerated in light of requests the ministry received for patients to continue treatments past the cycle cap. I'm very pleased that the ministry has reached a new agreement with the manufacturer which lifts that cap and allows funding to continue if a patient is responding well to the treatment. We'll continue to make progress for Ontarians with cancer.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Yasir Naqvi: The expansion to access for Avastin is good news for Ontarians fighting cancer. However, there are many other types of cancer that Ontarians are struggling with every day. Cancer touches us all. It affects our parents, our children, our brothers and sisters and many other loved ones. We all need to rally together to fight cancer.

Can the minister please tell this House about any other steps the government is taking to support Ontarians in their fight against cancer?

Hon. Deborah Matthews: We have made good progress for Ontarians suffering from cancer. We introduced Bill 102 to get better value for money and to give patients better access to the medications they need. Since 2006, we've added 28 different drugs to the formulary, and since taking office we've almost tripled funding for cancer drugs. In addition to this, so very important to people with cancer and their loved ones, we're bringing down wait times for cancer surgeries.

We are building more capacity. Just last Friday, the addition to the Ottawa Hospital's cancer centre opened, which, in combination with the Queensway Carleton development, will serve 1,300 more people each and every year. We're expanding cancer prevention and screening programs. We launched Canada's first province-wide colorectal cancer screening program. We're funding more than 130,000 colonoscopies over five years. The Ontario breast cancer screening program will reach a million participants this—

The Speaker (Hon. Steve Peters): Thank you. New question.

TAXATION

Ms. Lisa MacLeod: My question is to the Premier. At finance committee hearings this morning on the HST, I requested that the government members table all of the documents and materials, including transcripts of your so-called public meetings, on the HST around the province since the budget. When will you make these records available to the committee?

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: Many of these meetings have been widely covered in the media. Just today, there have been reports of meetings that our various members and colleagues have had. We have tabled documents. We have set up Web pages. We have respected advertising laws that prevent the kind of abuse of government money that your party participated in for some nine years.

I'm delighted that we're having these hearings today. I look forward to the input we're going to hear this afternoon. The input this morning was very valuable. I'm also told that we will be tabling a whole range of other documents at committee today.

I look forward to the continuing debate on the HST and on the 600,000 net new jobs that we will create as a result of this.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: The utter arrogance of that government is astounding. Today your member from Ottawa Centre basically insinuated that only scholars hired by your Liberal Party should be heard during these public hearings, not ordinary taxpayers who have flown on their own dime from the city of Ottawa today because you chose not to allow public hearings in a city of one million people.

You are arrogant, you are out of touch and you are acting like you're not responsible to the public.

Clause-by-clause is on Monday. The deadline for tabling material from your so-called public consultations, which took place before the bill was introduced in this chamber, is Monday. Will you stop the secrecy and will you make sure they are tabled, or are these meetings just a part of a PR sham?

Hon. Dwight Duncan: Since we introduced the legislation last March, we have conducted literally hundreds of meetings.

I'm very pleased, for instance, that we were able to reach agreement with the housing industry about changes to the bill; that we were able to reach agreement with the food services industry about changes to the bill; that we've been able to meet with groups from across the province on a range of implementation issues that will benefit our business community and consumers. I'm delighted that we've had that opportunity. They've been widely reported; this has been ongoing.

I'll just repeat—I couldn't hear over a few others—that, again, we've made a number of changes to the substance of the bill, resultant from a vast range of public consultations and meetings with industry associations over the last nine months. This is the right plan for a brighter future—

The Speaker (Hon. Steve Peters): Thank you. New question.

ABORIGINAL CHILDREN'S SERVICES

Mr. Gilles Bisson: My question is to the Minister of Children and Youth Services. On Wednesday, December 1, you attended a reception of First Nations leaders at the Sheraton hotel. At this reception, you had a discussion with the grand chief of the Mushkegowuk Tribal Council, Stan Louttit. He told me that he discussed with you the funding crisis at Payukotayno and you told him the following—he put it in a follow-up e-mail to me:

“She indicated to me that her regional staff were having positive discussions with Ernest Beck and his board”—that’s referring to Payukotayno. “I spoke with Ernest Beck”—this is Chief Stan Louttit—“and what the minister is saying is the furthest from the truth—there is no progress, they are still in crisis mode, layoffs have been issued....”

Minister, there are two issues here: Why did you tell the grand chief one thing when the facts were different? And what have your actions done to harm the trust First Nations should have in the provincial government?

Hon. Laurel C. Broten: I’m very proud to have been able to reach out, in many instances, and speak to individuals like Stan Louttit and Grand Chief Beardy at such a reception. We had a lengthy discussion with respect to our government’s commitment to make sure that the interests of children in the north and children being served by agencies such as Payukotayno are looked after. Ongoing discussions continue.

At that meeting, Stan actually tried to contact the ED by telephone, because he indicated to me that perhaps his information was a bit different than mine. I invited him to reach out and give me directly that information, if that was the case.

I can tell you that discussions continue with our staff in Moosonee. We looked very closely at a number of issues, in particular the issue of outside-purchased resources and how we will find a pathway forward to ensure that the children are protected.

My commitment remains the same: Our aboriginal children will continue to be protected.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: Minister, I’m sorry: I had the discussion with Ernest Beck this morning. Your staff has had no discussion with his board or him in regard to the funding crisis. The only thing that your person is doing is looking at the day-to-day administration of that organization. You are not dealing with the funding crisis, and as a result, kids are at risk. We have an epidemic of suicide on the James Bay. This organization is there to care for those kids and to try to do some of the prevention work that needs to be done, and you’re not having those discussions with them.

1110

So I say it again to you: Why did you tell the grand chief one thing when, quite frankly, the other was true?

And what does this do to the relationship between the provincial government and First Nations in this province?

Hon. Laurel C. Broten: As I’ve said, we continue to work and examine the issues closely. Examining the costs of outside-purchase resources and boarding rates might seem like something that is not relevant to the current situation, but it is precisely relevant. We are digging down and reaching a determination as to what is taking place in communities across the north and why they are seeing these challenges, and that is specifically with respect to children’s aid societies. Obviously, there’s a much broader consultation and discussion that needs to take place, and that’s exactly the commitment that I have made to aboriginal communities.

Our commission for sustainability will be reaching out. We’re seeking the advice of experts and individuals right across the province to, for the first time in a very, very long time, look at this critical issue. I work shoulder to shoulder with the Minister of Aboriginal Affairs.

We will deal with this issue and we will deal with it in a way that other governments have chosen not to. We will ensure that children are protected.

ACCESSIBILITY FOR THE DISABLED

Mrs. Maria Van Bommel: My question is for the Minister of Community and Social Services.

Today marks an important day in my communities of Lambton–Kent–Middlesex and in many other communities, not only in Ontario but around the world. Today is the International Day of Persons With Disabilities. Communities everywhere are celebrating with events and promoting the need to empower people with disabilities.

Research tells me that approximately 1.85 million people in Ontario have disabilities, representing more than 15% of Ontario’s population.

My question is this: What can the minister tell us and tell those almost two million people about what this government is doing to improve accessibility and promote opportunity for people with disabilities?

Hon. Madeleine Meilleur: Thank you to the member for her question.

I invite all members to join me today in recognizing the contributions that people with disabilities make to our communities.

On March 31, we closed the doors to Ontario’s institutions for people with developmental disabilities. We closed the door on segregation and opened the doors to a new era of inclusion. Today, people with disabilities are living with more independence than ever.

We know that people with disabilities face obstacles. That’s why we introduced the Accessibility for Ontarians With Disabilities Act, which will help us to break down barriers. Our first standard around accessible customer service will be enforced this January.

There is still more to do, but by working together, Ontario can become a place where people with disabilities reach their full potential.

The Speaker (Hon. Steve Peters): Supplementary.

Mrs. Maria Van Bommel: I too believe that by working together, we can foster a society that is both inclusive and empowering for those with disabilities.

Minister, you mentioned the closing of the last three institutions here in Ontario. I can't help but remember the anxiety that arose from this, since one of the three impacted directly on my riding and that of my colleague Pat Hoy. I know that there were concerns among the families of the people who lived in those institutions, concerns about removing loved ones from an environment where they had lived their entire lives. Minister, can you tell us about those concerns and how those people have adjusted today?

Hon. Madeleine Meilleur: I would like to thank the member, who is such a dedicated advocate on behalf of her constituents in southwestern Ontario.

Let me tell a story of a young man who transitioned out of the Southwestern Regional Centre. This young man now lives independently, with some assistance from Community Living. He's living a new life filled with new opportunities. He enjoys working in his community and has not one, but two jobs. His boss at work has made it clear that this may be the first time that he hired a person with disabilities, but it won't be the last time.

These people have a better quality of life because they are now active members in their community and are more connected with family and friends.

FOREST INDUSTRY

Mr. John Yakabuski: My question is for the Minister of Natural Resources. When you passed the Endangered Species Act, you promised the forest industry that you would use the Crown Forest Sustainability Act as the regulatory tool when establishing habitat protection zones. You went back on your word and took direction from those who opposed logging, period. You have now filed regulations for the wood turtle that will endanger the industry itself.

At a time when forestry is on its knees from other forces, such as access to credit, a high Canadian dollar and a slow United States housing market, why would you add a made-in-Ontario burden on them with no meaningful consultations with those so deeply affected? Why would you do that?

Hon. Donna H. Cansfield: I'm pleased to respond to the member's question. The Endangered Species Act has been around for over 30 years. When we renewed the act, we had an opportunity to look for more flexibility within the act in order to do accommodation. I have said right from the beginning that the Endangered Species Act would be incorporated into the spirit of forest management plans, and that is exactly what we are doing. It is no different than what's been done in the past.

All forest management programs have already involved themselves in the Endangered Species Act. They make accommodations for turtles, snakes and caribou. All we're saying is, as the science changes, as our information changes, how do we improve? It's based

on science. We work with the forest industry, and we've been doing that all along.

I had the pleasure of attending some sessions up in the Pembroke-Renfrew area where, again, I walked in the forest—

The Speaker (Hon. Steve Peters): Thank you. Supplementary.

Mr. John Yakabuski: That's a nice way of spinning it, but that's not accurate. You've gone to a permitting system that simply will not work.

Minister, no one opposes habitat protection. In fact, the Crown Forest Sustainability Act had that as part of its bedrock, but your decisions need to be based on real science, not the recommendations of your political scientists.

You've dismissed all of the requests and all of the recommendations of those who represent the thousands of families in my riding of Renfrew-Nipissing-Pembroke who depend on forestry as a way of putting food on the table. You've released no science to support your decisions, working simply on the basis of making forestry's enemies your friends.

Minister, will you not stop until there is no way left for rural families to make a living?

Hon. Donna H. Cansfield: I am more than pleased to be able to provide some accurate information to the member. In fact, there's an organization called COSSARO. COSSARO is an independent body, separate from the government, made up of scientists who make the decisions on what species will be put on the endangered species list right from the area of concern through to determining if they've been extirpated. That particular group then makes the decision independent of government.

In addition to that, we have another group called SARPAC, made up of the industry and interested stakeholders. They advise the minister in terms of how we implement the Endangered Species Act. We have two years in which to do it, to sit down, talk with and involve people in what we do, and that is exactly what has been going on.

TAXATION

Ms. Andrea Horwath: My question is to the Minister of Finance. This afternoon, First Nations from across the province are going to be at Queen's Park to protest this government's possible elimination of the point-of-sale exemption. They will deliver thousands of petition signatures from Attawapiskat to Walpole to Tyendinega to Fort Frances. Can the minister explain how a single 8% tax on school supplies, gas and clothing actually helps struggling First Nations?

Hon. Dwight Duncan: To the Minister of Aboriginal Affairs.

Hon. Brad Duguid: I'm judging by the leader of the third party's question that she's supporting our position that, indeed, the federal government should take Ontario's position on this very seriously and implement the exemption that's available to First Nations at point of sale.

Our Minister of Finance has been in touch with his colleague federally, Mr. Flaherty. Our Minister of Revenue's been in touch with his colleague. I've been in touch with my own, and the Premier, as of yesterday, sent a letter to the Prime Minister of Canada, Stephen Harper, calling on the federal government to adopt Ontario's position and to adopt the position of First Nations. We stand shoulder to shoulder with First Nations on this issue, and we welcome the NDP's support as we do that.

1120

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, nobody buys this nonsense, particularly not the chiefs of the First Nations of this province. The Minister of Aboriginal Affairs should be ashamed of himself. First Nations are tired of hearing this government blame Ottawa. The McGuinty government signed two memoranda of understanding with the federal government without even consulting with First Nations, even though the Minister of Finance acknowledged that the point-of-sale exemption was, in fact, a part of aboriginal and treaty rights. He made sure that Timbits were exempted, but First Nations were ignored.

How can the McGuinty government talk about a new relationship with First Nations when it struck a backroom deal with Stephen Harper Conservatives without even a single consultation?

Hon. Brad Duguid: If First Nation leaders and chiefs decide to visit Queen's Park today, this government welcomes them here, because I'll tell you something: They're coming to a place that is a lot friendlier to their cause than it was—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. Brad Duguid: —than it was six years ago. That's for sure. The relationship with First Nations is at an historical high in this province. We will continue to stand shoulder to shoulder with First Nations when it comes to going to the federal government. In fact, I can quote from a letter from the Premier that was sent yesterday to Prime Minister Harper. It reads: "Ontario Regional Chief Angus Toulouse recently conveyed to me his serious concerns about the matter. I fully support the request he is making on behalf of all Ontario First Nation leaders to continue the existing Ontario sales tax approach under the federal administration of the HST." Let's be clear. This government stands shoulder to shoulder with First Nations on this issue—

The Speaker (Hon. Steve Peters): Thank you. New question.

IMMIGRANT SERVICES

Mr. Bas Balkissoon: My question is for the Minister of Citizenship and Immigration. Minister, there have been stories of late discussing how many immigrants are overqualified and are earning less than their Canadian counterparts in the job market. This is in relation to an analysis done by Stats Canada that looks at employment

numbers for newcomers. The numbers show us that qualified newcomers are working for low wages, many in part-time and temporary work. Research shows that newcomers who arrived in Canada in the last five years are facing challenges to finding appropriate employment. Minister, we are keenly aware that Ontario newcomers are facing the same challenges and are part of a bigger picture that the analysis reveals.

Will the minister commit to providing Ontario newcomers with the necessary support, resources and training to ensure that they find employment that is suited—

The Speaker (Hon. Steve Peters): Thank you. Minister.

Hon. Michael Chan: I want to thank the honourable member from Scarborough—Rouge River. Our government knows that getting newcomers into the workforce is the single most important step. This is why we are supporting programs such as Pathways to Employment in Biotechnology. It's one of the 16 projects that will help yet another 5,000 newcomers get training and get a job. Support for these programs is part of our plan to strengthen our economy by investing in the skills and knowledge of Ontarians. Ontario needs to be competitive in the global marketplace. Such investments are part of this goal. They bring opportunities for success into the lives of Ontarians. We know when newcomers grow, Ontario will grow.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bas Balkissoon: The study found that newcomers are not only earning less but are working longer hours. It is obvious that this recession has been particularly hard on many newcomers.

There has been significant coverage in the last couple of days talking about the introduction of a pan-Canadian framework on recognition of foreign qualifications. There was an article in the Globe and Mail that said this: "It has ... become clear that, without provincial co-operation, the immigration system cannot adequately serve either immigrants themselves or the economy."

Clearly this government has a very important role to play here. Our economy depends on ensuring that foreign-trained professionals succeed, and foreign-trained professionals are relying on the government to get this right so that they can succeed. Minister, can you tell us what role you played in this pan-Canadian framework and what this will mean to Ontarians?

Hon. Michael Chan: Newcomers come from afar. They travel thousands of miles. They cross the oceans. They come to Ontario, but Ontario is a new land to the newcomers. This is why the Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications is another important step to support these individuals. Through the Fair Access to Regulated Professions Act, we established the Office of the Fairness Commissioner. Through significant investment in bridge training we are supporting newcomers to get the training they need to get jobs in their fields of study. The framework complements our ongoing effort to help newcomers succeed, because their success is crucial to the

future economic prosperity of our province. When newcomers succeed, Ontario succeeds.

MINISTERIAL RESPONSIBILITY

Mrs. Joyce Savoline: We were informed that the Premier would be here for the entire question period today. I guess I'll have to pose my question to the Deputy Premier.

It's no secret, Deputy, that there will be a cabinet shuffle in the near future. You only have to read the *Star* to find that out. Some cabinet ministers have gone because of scandals, and others because they are running for municipal office. So your secret is out. Your government's Minister of Municipal Affairs and Housing is strongly rumoured to be running as a mayoral candidate in 2010. With all these not-so-secrets, Deputy, when will the Premier ask the minister to resign so he can focus on one job?

Hon. Dwight Duncan: The enormous accomplishments the Minister of Municipal Affairs and Housing has made are really, really astounding. Your government and your party downloaded costs to municipalities and municipal taxpayers, and that minister and this government uploaded those costs.

Interjections.

Mr. Norman W. Sterling: They invented downloading.

The Speaker (Hon. Steve Peters): Order. Stop the clock.

Interjections.

The Speaker (Hon. Steve Peters): The Minister of Education and the member from Carleton-Mississippi Mills, you can have your discussion outside.

I will ask the minister to continue, but I would remind all members that when they are asking questions, they need to pertain to business within this chamber, and particularly to the portfolios of their ministries.

Hon. Dwight Duncan: Just this year, our government has begun to upload the cost of social assistance. That government cancelled provincial housing and downloaded housing costs to municipalities all over Ontario. Do you want to know where the minister is today? Let me tell you where the minister is. He's doing his job on behalf of Ontarians. He's in Ottawa at a federal-provincial-territorial meeting on housing and homelessness. That member and this government have done more in their term for municipalities and for Ottawa than your government ever did. That—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Joyce Savoline: It is the government's duty that I am speaking to here. Deputy, it is your government's responsibility to ensure that all municipalities receive full attention across the province from their municipal affairs and housing minister. When will the Premier demand this minister's resignation so that you can get on with the job and have the cabinet shuffle, so that the personal ambitions of this minister aren't being served?

Hon. Dwight Duncan: The Conservative Party of Ontario left vulnerable Ontarians out in the cold. They cancelled 17,000 affordable housing units and no new affordable housing units were built in their eight years in office. Our agenda with municipalities and housing has been clear: It is to undo the legacy of that member and her party, undo the things they did to Ontario's most vulnerable. That was just one example.

1130

These are difficult times. The Minister of Municipal Affairs and Housing is out working hard for all Ontarians. I'm proud he's my colleague and I'm proud of the work he has done for the poor and vulnerable and for municipalities.

Interjections.

The Speaker (Hon. Steve Peters): After question period.

The member from Hamilton East-Stoney Creek.

INJURED WORKERS

Mr. Paul Miller: My question is to the Minister of Labour. Tomorrow is the 18th annual injured workers' demonstration in front of the Ministry of Labour—the 18th. Something is wrong there.

With Christmas coming, I'm asking, on behalf of the WSIB pensioners in Hamilton, and across Ontario, who receive their pension cheques on the last day of every month: Will the minister agree to fast-track the December WSIB cheques so that these pensioners can buy gifts for their kids and grandchildren in time for the holidays?

Hon. Peter Fonseca: What I can say is that this government has taken more action to put more dollars into the hands of injured workers than those two previous governments combined.

Often, when I speak to injured workers, they'll talk to me about the F-word, and the F-word is the Friedland formula, brought in by the NDP government and made more regressive again by the Conservative government. We've changed that. We've changed that channel.

In 2007, three times we increased injured worker benefits, by 2.5% each time. I will be speaking to the injured workers tomorrow. I look forward to that. We are partners. The WSIB is moving to address the regressive manner of how they were treated by the NDP and Conservative governments—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Paul Miller: If you're partners with them, what are they in front of your offices again for?

The McGuinty government has policies for people on fixed ODSP incomes—that their December cheques are always released before Christmas and not at the end of the month, as usual. ODSP recipients will receive their cheques on December 22.

Will the minister be the Grinch who stole Christmas and didn't lift a finger to help injured workers and pensioners this holiday season, or will he do whatever

has to be done to ensure that the WSIB pensioners will receive their December cheques in time for Christmas? And don't deflect and talk about other things; answer the question yes or no.

Hon. Peter Fonseca: Again, the member speaks about injured workers, and I can say that this government's record in regard to injured workers has been one where we are partnering with injured workers and where we have brought forward increases that they had not seen since 1995, when the NDP government, in a very harsh and regressive manner, cut benefits to injured workers—

Interjection.

The Speaker (Hon. Steve Peters): The member from Hamilton East just asked the question. As he knows, according to the standing orders, if he's dissatisfied with the answer, he can file a notice with the table.

Interjection.

The Speaker (Hon. Steve Peters): The member from Hamilton East will please come to order.

Minister?

Hon. Peter Fonseca: I look forward to continuing to work with injured workers. We know that injured workers have gone through not only a financial impact to their lives but also an emotional one. As partners, we have to be there with supports—with financial support as well as—

The Speaker (Hon. Steve Peters): Thank you. New question.

WILDLIFE MANAGEMENT

Mr. Rick Johnson: My question is to the Minister of Natural Resources. Minister, I have heard of reports of farmers in areas of the province having difficulty with elk on their properties. I know that elk were recently re-introduced to Ontario, but in some areas their populations have grown so large that some farmers have experienced crop damage. I understand that there is a provision in the good government bill to help farmers protect their property from elk damage.

Elk is an iconic Canadian species. Its successful reintroduction to Ontario is a cause for celebration.

Can the minister please state for the record how the Ministry of Natural Resources will react to this provision found in the good government bill while still ensuring a healthy elk population? Will the minister please describe what she will do to enhance and protect elk populations in Ontario and how the minister will ensure that Ontarians have a say in elk management?

Hon. Donna H. Cansfield: I'd like to thank the member for the question. The member is correct. Back in the 1800s, when the elk were a native species, they disappeared. So, in 1990, 13 member partners with MNR actually reintroduced the elk, and they've been very successful in some areas.

By amending the good government bill through the Fish and Wildlife Conservation Act, we would be able to work with the farmers in terms of removal of elk when there's crop damage involved. On November 23, what

we did is actually put an elk management plan on the Environmental Bill of Rights. You have until January 7 to be able to respond to that draft plan.

We will work with the farming community to ensure that their crops are protected, but at the same time we'll make sure that the reintroduction of the elk, this extraordinarily magnificent animal, will in fact ensure survival in Ontario.

DEFERRED VOTES

GOOD GOVERNMENT ACT, 2009

LOI DE 2009 SUR LA SAINE GESTION PUBLIQUE

Deferred vote on the motion for third reading of Bill 212, An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts / Projet de loi 212, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois et en édictant deux nouvelles lois.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1136 to 1141.

The Speaker (Hon. Steve Peters): Ms. Smith has moved third reading of Bill 212. All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Bentley, Christopher
Berardinetti, Lorenzo
Best, Margaret
Bradley, James J.
Brotten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Carroll, Aileen
Chan, Michael
Colle, Mike
Delaney, Bob
Dhillon, Vic
Duguid, Brad

Duncan, Dwight
Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Matthews, Deborah
Meilleur, Madeleine
Milloy, John

Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Pupatello, Sandra
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Sergio, Mario
Smith, Monique
Sousa, Charles
Takhir, Harinder S.
Van Bommel, Maria
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted
Bailey, Robert
Bisson, Gilles
DiNovo, Cheri
Elliott, Christine
Gélinas, France
Hampton, Howard
Hardeman, Ernie

Horwath, Andrea
Jones, Sylvia
Klees, Frank
Marchese, Rosario
Miller, Norm
Miller, Paul
Munro, Julia
Ouellette, Jerry J.

Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 48; the nays are 24.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Speaker (Hon. Steve Peters): There being no further deferred votes, this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1144 to 1300.

INTRODUCTION OF VISITORS

Hon. Laurel C. Broten: I'd like to welcome to the House Jacqueline Benn-John, the executive director of the Sexual Assault and Violence Intervention Services of Halton and president of the Ontario Coalition of Rape Crisis Centres, and Sly Castaldi, the executive director of Guelph-Wellington Women in Crisis and former domestic violence advisory council member.

Mr. Khalil Ramal: I'd like to welcome to the east gallery my constituents Michelle Krohn and her daughter, Yvonne Racowiz—constituents of yours—and also Dan Procop from CARP. Welcome to Queen's Park today.

Mr. Tony Ruprecht: I'm delighted to introduce Mr. Dil Mohammed, who is in charge of Pakistani Television in Toronto. To his immediate left is Elizabeth Fonseca Sánchez, who is the manager of Havana airport. She is here today to listen to us as we debate the issue of Hispanic Heritage Month.

The Speaker (Hon. Steve Peters): So that's how you get quick passage through the Havana airport.

The member from York West.

Mr. Mario Sergio: They will be introduced formally later on, but I'd like to welcome and introduce to the House the members from the various fire departments who are here, not only to attend the working of the House this afternoon but also to listen to the debate on one fundamental bill dealing with their protection as well as protecting our seniors: the retrofit of fire sprinklers in seniors' homes. I'd like to welcome them to the House this afternoon.

MEMBERS' STATEMENTS

TAXATION

Mr. Ernie Hardeman: We have repeatedly asked the McGuinty government to go out and listen to Ontarians about the impact of the HST, the hated sales tax. We have told them about people like Rick from Thamesford, who said:

"My business is small and part-time and is similar to the hundreds of karate schools, music, dance, and gymnastic schools. We provide instructional service and only have to charge 5% GST. The HST will add 8% to our costs. We have little or no retail sales, so there is no savings to us. It is all tax cost. In this economic climate, how can I increase my fees by 8%? My business is

already down 40%. McGuinty is going to wipe us out for a tax grab."

People like Kevin wrote to the Minister of Finance—and he hasn't even received a response. He said:

"I have had many customers with a serious concern over the new HST, of which the main one is what is going to happen to the cost of their heating fuel.

"I hope this has been an oversight, but just wanted to remind you we do live in Canada where there is winter, and heating your home is not an option. I looked at several customers' fuel volume from the 2008-09 heating season and calculated an average increase of \$200 to heat their homes. You have stated necessities will remain tax-exempt. In my opinion, heat and hydro aren't a luxury item."

I hope that all the Liberal members will take the time to actually talk to the people of Ontario to hear from them that they do not want and cannot afford Dalton's hated sales tax.

JOHN LENNON

Mr. Lorenzo Berardinetti: I rise today to remind this House of the anniversary of a tragic event that occurred 29 years ago on December 8, 1980. On that day, our country lost a friend. John Lennon was shot and killed while returning from work outside his apartment in New York City.

John Lennon had a special connection with Toronto and our country because we welcomed him when most of the world would not. In 1969, he performed in a live concert at Varsity Stadium. During that concert, he, apparently for the first time, had people in the audience light matches and lighters when he came on stage. This has become a rock and roll tradition, and it was first experienced right here in Toronto's Varsity Stadium. It was at the concert in Toronto that he first performed his song Give Peace a Chance, live.

Prime Minister Trudeau met with him as well, and they spoke together on world peace for over 50 minutes back in 1969.

As a member of the Beatles, he visited Toronto in 1964, 1965 and 1966.

Following his concert in 1966, a summer student gave him an OPP crest, and that OPP crest was then given to Paul McCartney. Paul McCartney would wear that crest when the Beatles shot the photograph for their 1967 album Sgt. Pepper's Lonely Hearts Club Band. That crest continues to be recognized throughout the world as a result of that incident.

Lennon has been gone since 1980, but his music, memory and legacy as an ambassador for peace lives on and continues to grow and expand.

TAXATION

Mr. Norm Miller: Once again, I bring the voices of Ontarians to this Legislature on the proposed harmonized sales tax.

Richard writes:

"My wife and I are retired and on a pension, for which we are very thankful, but your government is challenging our ability to even maintain our current standard of living and retain our home.

"We are deeply discouraged and angry about your proposed tax grab HST.... Companies are hurting due to the current economic situation and your overall mismanagement of the province's finances. Corporate taxes should have been reduced a long time ago.... We don't trust your government to be honest with us about the true costs that we will incur."

Audrey from Gravenhurst writes:

"No one can afford to pay double taxes on just about everything they purchase. Heating fuel, hydro, fire insurance and vitamins should all be exempt.

"Seniors on a fixed income, OAS supplement and Gains cannot afford to pay this exorbitant tax rip-off.

"Don't be so greedy; be satisfied with the PST you now get."

Sue writes:

"Please keep at the HST.

"The timing on this is just so bad.

"We are retired. Our small business is down dramatically. We make practically no interest from the banks.

"Politicians are not thinking straight.

"This situation is absolutely ridiculous and it's time Mr. McGuinty comes to his senses and thinks about the 70% of the population that is against this measure."

It is no wonder that the McGuinty government refuses to take Bill 218 to the people. They are simply afraid to hear what the people have to say.

PUBLIC CONSULTATION

Mr. Michael Prue: I stand to talk about a similar issue: the events of the past week. We all know that this has been a very difficult week. Some members have been expelled. The opposition was forced to make a motion for hearings to start at one minute after midnight. The Speaker—thank you, Mr. Speaker—made a ruling which said that that was illegal. The House leaders then got together and thankfully came to a compromise which allowed for hearings to take place.

At today's meeting, though—I am again profoundly upset and disappointed at what is happening—the first thing that happened was the Liberal members had their staffers handing out government of Ontario finance books, trying to convince those people who were in opposition to the HST to not speak that way. I don't think that was appropriate inside the committee. They were admonished by the Chair of the committee, who told the members that the booklets had to be handed out outside the committee room, because at that point she had no jurisdiction.

But that was not the end. One member bitterly complained that a deputant had donated to the Conservative Party, as if somehow this had lessened the deputant's

credibility. It was only after that that we discovered the same deputant had also donated to that same member who complained, to his campaign, and we learned as well that the member had been the CFO of that deputant in a municipal campaign. These are the shenanigans that are going on—

The Speaker (Hon. Steve Peters): Thank you.

OVER 55

Mr. Khalil Ramal: I rise in the House to bring great news from the city of London. Not only is our city at the forefront of health and technology, we are also pioneering in social services. Over 55 is a one-of-a-kind organization that caters employment services to people over 55 years old. It's organizations like that in which I take pride.

Their unique approach to employment is not a common method in Ontario. There is a stereotype that people over the age of 55 are not in great demand in the job market, but this organization breaks the stereotype and has helped many people find work, not only by connecting them with potential employers, but by also connecting skilled workers and professionals to new clients and customers.

1310

Minister Bentley and I had the pleasure of attending the launch of the job creation partnership they have made with the Ministry of Training, Colleges and Universities. They will now offer services to people who need retraining in fields like database development and special events management. We met with many happy community members, and I would like to thank the volunteers at Over 55 who made this a success.

I want to take the opportunity to continue thanking those people who devoted their time to help their fellow men and women who cannot find jobs, especially when they are the age of 55 or older.

PUBLIC CONSULTATION

Mr. Frank Klees: I, too, want to address this government's handling of the HST public consultation process. I had the opportunity to sit in on the committee this morning and expressed again at committee the fact that members of the government continue to refer to public meetings that took place. Those meetings were not consultations. Those meetings were lectures by the Minister of Revenue and other members—basically a propaganda campaign—to convince people of the wisdom of this tax, which, by the way, we take great exception with.

I want to thank Mr. Paul Bailey, a retired York region police officer, who is now president of the Police Pensioners Association of Ontario. He presented this morning, and said directly to the committee:

"Many of us have spent considerable time in the House during question period, have listened to the gov-

ernment tell us how good this HST will be for us individuals and as a province. We have been told by Jack Mintz it's a great gift for the province.

"Committee members, with respect, we don't believe a word of it. This new tax will take more money out of our pockets than we can afford. You know that, and so do the seniors of this province."

Sadly, there are few hours left for public consultation. We sincerely hope that the government is listening and will be able to make some changes to their intentions regarding the HST.

PUBLIC CONSULTATION

Ms. Leeanna Pendergast: I had the distinct pleasure of spending a large portion of the summer and the following months visiting retirement homes and senior homes in my riding of Kitchener-Conestoga.

I had the opportunity to discuss with my senior constituents, among other things, the HST and how these tax reforms will benefit them in particular.

I'd like to take this opportunity to thank Joan Norris and Catherine Freeborne of Chateau Gardens seniors' home in Elmira, which is in Woolwich township. I'd also like to thank Debbie Ripert of Trinity Village for helping to make all of these visits happen.

I'd also like to thank Sharon Walsh of Community Care Concepts and Meals on Wheels—as we delivered meals out of St. Jacobs and the home office in Elmira—for facilitating my participation in delivering Meals on Wheels to our seniors in their homes.

I'd like to thank Ron Schlegel and his staff at the Village of Winston Park. It's a continuing care facility that continues to be engaging and co-operative in these open discussions. I wish Ron all the best in his speedy recovery.

These continue to be enjoyable sessions with my seniors—a free exchange of information.

Just like all government members, I continue to consult, meet and discuss with seniors the impact of tax harmonization. In particular, I'd like to mention Mildred, who I've come to know as Millie, and thank her personally for taking me on a tour of her newly renovated bathroom.

DURHAM CONSOLIDATED COURTHOUSE

Mr. Wayne Arthurs: Our government is committed to renewing our infrastructure while ensuring we keep our environment clean for future generations.

One example of how we're accomplishing this is the Durham consolidated courthouse. This afternoon, the Minister of Energy and Infrastructure will be present at a completion-of-construction event; we're expecting the facility to be fully operational by March 2010. This state-of-the-art integrated facility brings together justice services that were formerly being delivered from seven

different locations. It will house 33 courtrooms, three judicial hearing rooms and related legal and court services.

What's also important about this facility is that it's designed to conform with high energy management and conservation standards. For example, compared to similar buildings, the design of this building has reduced energy consumption by 42%. The Durham courthouse was also built to achieve LEED silver certification.

What's more, about 1,500 various staff and visitors will conduct business daily in the building. This means increased demand for restaurant meals and other services in downtown Oshawa, contributing to the local economy.

The Durham courthouse is a great example of how our government is working hard to improve our environment, create vibrant urban neighbourhoods, stimulate investment in jobs and boost development in communities just like Oshawa.

VALERIE HUNT

Mr. Dave Levac: She was not a former member of this place or a politician of any kind. She was not a famous athlete. She was not a celebrity from the entertainment world. Not many people will have heard about her.

Peacefully, surrounded by her brothers, her mother, her best friend and the rest of her loving family, she passed away.

Valerie Hunt was just 42 years old. She was my friend. She always started her day with, above all, juice first. Unfiltered and straight from the hip, she told you what was up. No strings attached, affection and love oozed from her.

Speaker, she collected pens. You were on her "Okay Guy" list.

She was born and wasn't supposed to live for two hours. The family was then told, "Maybe two years, with a little bit of care, in an institution." Instead, tender loving care was provided for her at home. Valerie beat all the odds. Her daily heart attacks couldn't stop her. Her heart simply, inexplicably grew. Down's syndrome couldn't stop her either.

She leaves many family and dear friends just a little sadder and just a little empty. The good news is that she's now with her beloved angels and her dad.

I will miss my friend Val. The next Tim Hortons coffee I have, I'll splash a little bit to Val—and it has to be Tim Hortons.

To the staff, to the teachers, to the friends at Crossing All Bridges, to all the workers and volunteers at Community Living Brant, and to the special staff of our hospital who cared for Val: Know that you cared for an angel.

Val, my friend, use your free pass to heaven. You're home. Two thumbs up.

Applause.

DAY OF REMEMBRANCE AND ACTION
ON VIOLENCE AGAINST WOMEN
JOURNÉE DE COMMÉMORATION
ET D'ACTION CONTRE LA VIOLENCE
FAITE AUX FEMMES

The Speaker (Hon. Steve Peters): The Minister of Aboriginal Affairs on a point of order.

Hon. Brad Duguid: This is a unanimous consent request. I believe we have unanimous consent that up to five minutes be allotted to each party to speak on the National Day of Remembrance and Action on Violence Against Women, and for each member to have the opportunity to wear a white ribbon and a button in support.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Laurel C. Broten: Twenty years ago this Sunday marks a dark day in Canadian history. On December 6, 1989, a gunman walked into l'École Polytechnique de Montréal and killed 14 female engineering students.

C'est un jour dont je me souviens clairement. J'étais étudiante de premier cycle en sciences, au sein d'une promotion composée en majeure partie d'hommes, en plus d'être une activiste politique et une féministe.

It was a day I remember clearly. I was an undergraduate science student in a predominantly male graduating class, a political activist, a feminist. I remember my shock, my confusion and my growing sense of vulnerability, and over the next few days, my friends and I clearly saw December 6 for what it was: A heinous act of misogyny.

This act of hatred was not an attack against students or engineers; it was an attack against women, and it became a defining moment for Canadian women. These students were not just victims of an indiscriminate criminal act; they were women who were friends, daughters and sisters, whose families were shattered by the bullets that struck them. They were daughters of parents who encouraged them to take the road less travelled: a career in engineering.

As I stand in acknowledgment of the National Day of Remembrance and Action on Violence Against Women on December 6, I ask that my colleagues in the House join me today to remember not only the 14 women who were killed that day, but all women who have died as a result of gender-based violence.

I also rise to acknowledge the internationally sanctioned 16 Days of Activism Against Gender Violence, November 25 to December 10. They remind us that violence against women is an unacceptable violation of human rights and a principal barrier to gender equality.

1320

Cet événement nous rappelle que la violence faite aux femmes constitue une violation inacceptable des droits humains des femmes, et un obstacle de principe à l'égalité entre les sexes.

As a lawyer, an advocate, a friend, in my previous role as parliamentary assistant to Premier McGuinty, and now as minister responsible for women's issues, I have met

too many women who have suffered from abuse. I am always moved by their determination to change their lives and to keep their children safe and free from violence.

The tragedy of December 6 reminds us that we must not let our vigilance wane. We must continue to educate girls and boys, men and women. We all have a responsibility to end violence against women.

Today, I invite all members to wear a rose button to remember the women who died, and recommit to taking action on violence against women and girls, and also to wear a white ribbon to signify men's opposition to violence against women.

I want us to take a moment to remember the 14 engineering students who were killed December 6, 1989, and all women who have died through violence by reading of the names of the 14 women whose lives were violently and tragically cut too short: Geneviève Bergeron, age 21; Hélène Colgan, age 23; Nathalie Croteau, age 23; Barbara Daigneault, age 22; Anne-Marie Edward, age 21; Maud Haviernick, age 29; Barbara Klucznik Widajewicz, age 31; Maryse Laganière, age 25; Maryse Leclair, age 23; Anne-Marie Lemay, age 27; Sonia Pelletier, age 23; Michèle Richard, age 21; Annie St-Arneault, age 23; and Annie Turcotte, age 21.

Today, I call upon all Ontarians to work together to end violence against women. It is a day we must not forget, but it is one that we must move forward from.

Mrs. Elizabeth Witmer: I rise today on behalf of the Progressive Conservative caucus to recognize this National Day of Remembrance and Action on Violence Against Women, which falls each year on December 6.

Established in 1991 by the Parliament of Canada, this day was selected because it is the tragic day on which the massacre at École Polytechnique occurred at the University of Montreal. I know we have memories that day when a gunman murdered 14 young women simply because they were women. On that day, 14 young, bright and intelligent women were separated from their male colleagues and they were murdered by this young man just because, as I said, they were women.

This day of remembrance is important for everyone. It is a day to reflect on the tragic loss of the lives of these young women, women who possessed so much promise and who were just on the cusp of beginning their adult lives. It is also a day to remember their families who have had to go on without them. We need to support them and we need to honour the memory of their daughters and their sisters by working diligently each and every day to end violence against women.

Additionally, it is also a day where we need to reflect on the broader issue of violence against women, which impacts women of all ages. On Sunday I will be attending an event in my community which is being hosted by the Canadian Federation of University Women to mark this 20th anniversary.

Yes, we must work to ensure that all women have the right to live in safety and dignity, free from threat, intimidation and violence. And yet, unfortunately, each

and every day, we continue to hear about violence against women.

So together, collectively, it is important that we take steps as a government and as individuals, steps like assisting Mrs. Patricia Marshall of St. Catharines and her two daughters. On numerous occasions, we have asked the Attorney General to assist these women. Yet, despite compelling evidence including video footage, the crown withdrew its criminal harassment charges against their neighbour. The lack of action has dismayed several women's shelters, including Gillian's Place, one of Ontario's first shelters for abused women and children. According to Susanne DiLalla, chair of Gillian's Place, Not only has the decision caused these women great distress, but "it sends a message to all women that this behaviour is acceptable and the justice system will not prevail to protect them."

We need to do better. So today, as we consider the impacts of violence against women, we also need to consider the effects on them as individuals and on our society. We know that violence against women negatively impacts their health and their well-being. It results in lost time at work and the need for transition homes and crisis centres. As well, it has a very negative impact upon the children whose lives have been touched by violence against their mothers. We need only look at the gunman who killed the young women on December 6. He himself had witnessed violence against his mother at the hands of his father, and he had suffered physical abuse as well.

In conclusion, we need to remember that the root causes of violence against women are societal. We are only going to find solutions if we work together and try to change the values and behaviours in order that there is real equality between men and women. Research shows that positive attitudes adopted at an early age can tackle the violence before it happens. We need to make sure that we do everything we can at that early age to shape the attitudes of our children.

So today I join all members of this House and I join with people across this great province to rededicate and recommit ourselves to doing all we can to take measures in order that we can have a world and a province without violence against women. It is the one way in which we can honour the memory of the 14 young women who died so tragically and also all those others who have suffered abuse.

The Speaker (Hon. Steve Peters): The member from Nickel Belt.

M^{me} France Gélinas: Good afternoon. It is my honour to rise today and to recognize the Montreal massacre. On December 6, 1989, a lone gunman entered the second floor of l'École Polytechnique de Montréal with an intent to systemically kill women. Marc Lépine entered the engineering classroom on the second floor of l'École Polytechnique. He first separated the men from the women and then ordered the men to leave. Facing these women, il les a accusés d'être un gang de féministes. Il leur a crié par la tête: «Je hais les féministes», before shooting the women with a semi-

automatic rifle. In just 20 minutes, Marc Lépine had killed 14 women and injured an additional 10 women and four men, before turning the gun on himself.

Twenty years later we still mourn the loss of these 14 promising young women in their prime: Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Barbara Maria Klucznik, Maryse Leclair, Annie St-Arneault, Michèle Richard, Maryse Laganière, Anne-Marie Lemay, Sonia Pelletier and Annie Turcotte.

For their loved ones, the pain of the Montreal massacre will never be erased.

1330

The Montreal massacre acted as catalyst of recognition and promised change in eradicating violence against women. On this 20th anniversary, there still remains much to be done. Today, women continue to face physical, emotional and psychological abuse at the hands of their spouses, their partners and their loved ones. Families have lost daughters, mothers, sisters, aunts, nieces and neighbours. Why? Because we, as a society, have not done a good enough job of changing the culture of male violence and misogyny that continues to plague women. Women still pay with their lives for a lack of action.

Many times my colleagues and I have risen in this House to advocate for greater action to eliminate violence against women. I'm really proud of my colleague Cheri DiNovo, who has asked that an all-women non-partisan committee be put together in this House to look at violence against women. But the Liberal majority are not interested in a non-partisan look at women's safety. By their lack of action, they're putting women's safety at risk.

Many times, women's groups, service providers, coroners' juries, and study after study have instructed the government that more needs to be done. A large part of the solution lies in the provision of affordable housing, child care, resettlement funds, meaningful employment, and income support, which enable women to support themselves and their children, enabling them to leave violent homes. They don't need more websites and more pilot projects; they need action.

Recently the NDP introduced several amendments to Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters. They were struck down by the Liberals.

Though we supported the bill in its efforts, we believe that with our amendments the bill would have been further able to protect women in the workforce. The Ontario Federation of Labour, the Ontario Nurses' Association, OPSEU and many others found the provisions set out in the act to be limiting and ineffective. This is a matter for all parties to care about, yet the government does not seem to take concrete action while they have the power to do so. When will this finally change?

Additionally, pay equity remains as problematic an issue for women as it always has been. Women get paid

75 cents for every dollar earned by their male counterparts. For a retired woman, it's 60 cents on the dollar. And 7.3% of retired women live in poverty; that's double the rate of men.

Women with little or no access to safe housing, food and clothing are increasingly reluctant to leave the security of a relationship, even though that relationship is abusive to the health of themselves and their children. How can we continue to protect these women from escalating violence if we are unwilling to provide the resources they need?

In memory of the 14 women slain on December 6, and all the women who have been murdered before and since, let's pledge, all of us, to do more and to do better in their names.

The Speaker (Hon. Steve Peters): I'd ask all members and guests to please rise as we observe a moment of silence, recognizing the tragic events of December 6, 1989, and in commemoration of the National Day of Remembrance and Action on Violence Against Women.

The House observed a moment's silence.

PETITIONS

TAXATION

Mr. Jim Wilson: "Whereas the hard-working residents of Simcoe-Grey do not want a harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, veterinarian bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I will sign that petition, and I agree with it.

TAXATION

Mr. Gilles Bisson: I have a petition from the Association of Iroquois and Allied Indians that has been

collected from places like Oneida, Attawapiskat, Fort Albany, Six Nations and many other First Nations across the province. It's signed by 2,256 such individuals, and it reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario not impose the harmonized sales tax on the people of Ontario; and

"That the government of Ontario maintain Ontario First Nations people's point-of-sale tax exemption pursuant to any harmonized sales tax legislation that may be enacted."

I will sign that petition.

HISPANIC COMMUNITY

Mr. Tony Ruprecht: The petition I have here today is in support of proclaiming April as Hispanic Heritage Month, and it reads as follows:

"Whereas Canadians of Hispanic origin have made outstanding contributions in the building of this great province; and

"Whereas the Hispanic population is among the fastest-growing communities in Ontario; and

"Whereas the Hispanic population in Ontario represents 23 countries across the world, such as Argentina, Belize, Bolivia, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estados Unidos, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Spain, Uruguay and Venezuela; and

"Whereas Hispanic Heritage Month would give Ontarians the opportunity to participate in various cultural and educational activities that would strengthen our diversity; and

"Whereas the proclamation of April as Hispanic Heritage Month in Ontario is an opportunity to recognize and learn about the contributions Canadians of Hispanic heritage have made to Canada and to the world in music, art, literature, films, economics, science and medicine;

"We, the undersigned, call upon the Legislative Assembly of Ontario to support proclaiming April of each year as Hispanic Heritage Month; and

"We would support the member's private member's bill of December 3 to proclaim Hispanic Heritage Month in Ontario."

Since I agree, I'm delighted to sign this petition.

TAXATION

Mr. Ernie Hardeman: I have a petition to the Legislative Assembly of Ontario:

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for

their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I have a petition from the people of Sudbury, and it goes as follows:

"Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service...; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

1340

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the clerks' table with page Simon.

CANCER TREATMENT

Ms. Helena Jaczek: I have a petition signed by 1,367 individuals to amend the Ontario Health Insurance Act.

"We, the undersigned, feel strongly that oral chemotherapy, pill forms of cancer treatment, must be covered under the Ontario Health Insurance Act.

"This petition is to tell the Ontario government that oral chemotherapy must be covered for cancer patients when the treatment is Health Canada approved and approved for use and being prescribed in Ontario.

"We propose and support an amendment to include oral chemotherapy under section 8(2) of the Ontario Health Insurance Act, RRO 1990, regulation 552."

As I agree with this petition, I'll affix my signature to it and send it to the table with page Olivia.

TAXATION

Mr. Norm Miller: I have a stop-the-DST petition, signed by thousands of people, that I'd like to present. It reads:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

"This new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services not previously subject to provincial sales tax, including: electricity; home heating oil and gas at the pump; haircuts; newspapers; magazines; Internet and cable; home renovations; heating; air conditioning repairs; accounting, legal and real estate fees; condo fees; new home sales; rents will also go up; minor hockey registration fees will increase; and green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I support this, have signed it and will give it to Connor.

HISPANIC COMMUNITY

Mr. Mike Colle: I have a petition here to the Legislative Assembly of Ontario.

"Whereas Canadians of Hispanic origin have made outstanding contributions in the building of this great province; and ...

"Whereas the Hispanic population in Ontario represents over 23 countries across the world," such as Argentina, Bolivia, Chile, Costa Rica, Cuba, the Dominican Republic, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Spain, Uruguay and Venezuela; and

"Whereas Hispanic Heritage Month would give Ontarians the opportunity to participate in various cultural and educational activities that would strengthen our diversity; and

"Whereas the proclamation of April as Hispanic Heritage Month in Ontario is an opportunity to recognize and learn about the contributions Canadians of Hispanic heritage have made to Canada and to the world in music, art, literature, films, economics, science and medicine;

"We, the undersigned, call upon the Legislative Assembly of Ontario to support" Dr. Ruprecht "proclaiming April of each year as Hispanic Heritage Month in Ontario."

I support this petition, and I affix my name to it.

PENSION PLANS

Mr. Jim Wilson: "To the Legislative Assembly of Ontario:

"Whereas several paramedics in Simcoe county had their pensions affected when paramedic services were transferred to the county of Simcoe, as their pensions were not transferred with them" from the hospitals of Ontario pension plan and the OPSEU trust "to OMERS,

meaning they will receive significantly reduced pensions because their transfer did not recognize their years of continuous service; and

"Whereas when these paramedics started with their new employer, the county of Simcoe, their past pensionable years were not recognized because of existing pension legislation; and

"Whereas the government's own Expert Commission on Pensions has recommended that government move swiftly to address this issue; and

"Whereas the government should recognize this issue as a technicality and not penalize hard-working paramedics;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Finance support Simcoe-Grey MPP Jim Wilson's resolution that calls upon the government to address this issue immediately and ensure that any legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the 1990s and beyond to transfer their pensions to OMERS" from the hospitals of Ontario pension plan or the OPSEU trust.

I agree with the petition. I will sign it.

HISPANIC COMMUNITY

Mr. Khalil Ramal: "To the Legislative Assembly of Ontario:

"Whereas Canadians of Hispanic origin have made outstanding contributions in the building of this great province; and

"Whereas the Hispanic population is among the fastest-growing communities in Ontario; and

"Whereas the Hispanic population in Ontario represents 23 countries across the world, such as Argentina, Belize, Bolivia, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, United States, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Spain, Uruguay and Venezuela; and

"Whereas Hispanic Heritage Month would give Ontarians the opportunity to participate in various cultural and educational activities that would strengthen our diversity; and

"Whereas the proclamation of April as Hispanic Heritage Month in Ontario is an opportunity to recognize and learn about the contributions Canadians of Hispanic heritage have made to Canada and to the world in music, art, literature, films, economics, science and medicine;

"We, the undersigned, call upon the Legislative Assembly of Ontario to support proclaiming April of each year as Hispanic Heritage Month," which is about to be addressed in debate in this House by Dr. Tony Ruprecht.

I agree with this petition and add my signature as a sign of acceptance.

TAXATION

Mrs. Elizabeth Witmer: I have more petitions that have been signed by the people of Kitchener-Waterloo.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

"This new tax ... will raise the cost of a long list of goods and services not previously subject to provincial sales tax, including: electricity; home heating oil and gas at the pump; haircuts; ... magazines; Internet and cable; home renovations; heating; air-conditioning repairs; accounting, legal and real estate fees; condo fees; new home sales; rents will also go up; minor hockey registration fees will increase; and green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I am pleased to join the people of Kitchener-Waterloo and sign this petition.

HOSPITAL FUNDING

Mr. Bob Delaney: I'm pleased to read this petition, addressed to the Ontario Legislative Assembly and submitted by the Islamic Society of North America. I'd also like to acknowledge Arif Shaikh for his help in collecting the signatures. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could better be performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to affix my signature in support of this petition and to ask page Iman to carry it for me.

TAXATION

Mr. Norm Miller: I have another petition against the harmonized sales tax.

"Whereas the hard-working residents of Ontario do not want a harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000, fast food under \$4, electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air-conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

1350

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes and that the McGuinty Liberal government not bring into effect the harmonized sales tax/value-added tax/blended sales tax, any combination of the provincial retail sales tax with the GST for Ontario consumers."

PRIVATE MEMBERS' PUBLIC BUSINESS

HISPANIC COMMUNITY

Mr. Tony Ruprecht: I move that, in the opinion of this House, the Legislative Assembly of Ontario should proclaim the month of April in each year Hispanic Heritage Month throughout Ontario, so that all Ontarians can better understand, celebrate and share the rich history and outstanding artistic, cultural, economic and scientific achievements and contributions made by Ontarians of Hispanic heritage.

The Speaker (Hon. Steve Peters): Pursuant to standing order 98, the member has 12 minutes for his presentation.

Mr. Tony Ruprecht: I will share my time with the member from Eglinton–Lawrence, who certainly had a hand in this, the member from London–Fanshawe, and the member from York West.

Aside from our guests in the gallery, Mrs. Sanchez Fonseca, I'm also very happy to introduce to you a number of persons from the Hispanic community in Toronto and, indeed, from outside Toronto and across Ontario as well.

We have here Councillor Cesar Palacio, representing the city of Toronto; Oscar Vigil, representing Revista Debate and Diario El Popular; Silvia Mendez, on behalf of Ahora Canada Ltd.; Jorge Bonilla on behalf of the Toronto District School Board; Maria Luisa Grimaldi, president of the Hispanic Development Council; Jorge Bianci, representing the Toronto Hispanic Students Union; Madga de la Torre from the Embajada Argentina; and Freddy Velez from Corriere Canadese.

Remarks in Spanish.

My first point on this wonderful resolution is how I first got in touch with the Hispanic communities in Toronto. When I was first elected in 1978, I was almost immediately approached by Latin American organizers to attend their functions and celebrations. I was impressed by the depth of their commitment to maintain and show the historic culture from all Latin American countries.

In our petition, we already indicated 23 of the countries that are directly involved and who will help us celebrate Hispanic Heritage Day, not only in Toronto, but across all of Ontario.

The second item I'd like to discuss—and I will richly quote from a book called Toronto's Many Faces, whose author is Tony Ruprecht. I will quote the author here. On page 368, you can read:

"Significant Spanish settlements did not occur in Canada until the 20th century. By 1914, approximately 2,000 Spaniards had arrived in Canada, followed by a small group that settled here between the two world wars.

"The largest group of settlers included Latin Americans who arrived between 1968 and 1975, boosting the population of Hispanics in Canada to more than 300,000 persons. Although the arrival of Hispanics can be traced to post-war years, in the last three decades, three main waves of immigrants from different historical roots have settled in Canada. They are the Andean wave from 1971 to 1975, then the coup wave from 1973 to 1979 and then the Central American wave since 1981.

"The causes of these waves are both economic and political. The amnesty legislation of 1973 resulted in an inflow of nearly 70,000 individuals, who came from Ecuador and Colombia. At the same time, the military coup in Chile displaced thousands of Chilean professionals and labourers, leading them to seek political asylum.

"The Central American wave of the 1980s was caused by the socio-political shocks in Nicaragua, the escalation of the civil war in El Salvador, and the repressive policies of Guatemala."

That brings us to Toronto, because most of these persons who were professionals came and helped us to continue to develop our great nation called Canada. And to commemorate the 200th anniversary of the birthday of Simón Bolívar, who liberated six Latin American countries, a bronze bust was sculpted by artist Armando Sorondo, and the monument was presented by the Consul General of Venezuela as a gesture of friendship to Torontonians and placed on the lawns of Trinity Bellwoods Park, in the heart of the city's Hispanic district.

As you can see, fairly well right from the beginning, we have important contributions made to Toronto when these people arrived from abroad to start a new life here in Canada.

Then I looked through my files, and what I found was very interesting. I found a letter of October 22, 1986, that I wrote as minister with special responsibilities for multiculturalism about the earthquake in San Salvador. I write here that "the earthquake is gone and soon will be forgotten, but the trauma and hunger and uncertainty remains for those most closely affected. For the Salvadorans, it is the beginning of a long road to recovery."

I was very delighted at that time to make a contribution of \$100,000 on behalf of the government of Ontario to the San Salvadoran community here and the Red Cross to ensure that some monetary help and other types of help that Canadians could offer went to San Salvador, because more than 900 persons had perished and the homeless numbered around 100,000. This was fairly significant. We, as Canadians, especially as Ontarians in Toronto, can be very proud of our contribution to those who suffer across the world. In this case, it was San Salvador, and this, of course, was important to the Hispanic community, because they realized that they had a friend in the government of Ontario.

Indeed, today, I would want our guests who are here to help us to celebrate the acceptance, hopefully, of this private member's resolution, the Hispanic Heritage Month. When they come here to listen to us speak, I want them to go home and to say, "Yes, it doesn't matter what party; it doesn't matter who was speaking, because they were always speaking in support of this." That's the feeling that I want them to take away when, hopefully, all members will pass this resolution.

It is very important, not only for Hispanics but also for each country individually that makes up Latin America and Central America. We're here together. We are, together, shaping a country that is very important around the world because of our sense of multiculturalism, which really means that we have a decision that we have made, and that is that we feel we're all in the boat together.

For the first time, in fact, in human history, we have a part of our constitution which is very clear. It says, under the sort of heading of multiculturalism, that you can come to this country and you can maintain your language, you can maintain your culture, you can maintain your traditions, and all we expect you to do when you come here is help us to continue with our drive to be accepting and to be open.

The biggest present that we can give, not only to newcomers but to peoples of the whole world, is that when they think of Canada, they must think that these people who are in Canada are fair people. Not only are they fair, but people are treated before the law on an equal basis, irrespective of where people come from, what religion they have and whatever is in our code. So it is important, and I would hope that most people, or all of us, will support Hispanic Heritage Month.

1400

In fact, I want to tell you that we are somewhat late in recognizing the contributions of Hispanics to Canada, because Lyndon Johnson already—imagine this—in 1968 proclaimed a Hispanic Heritage Week in the United States. That was in 1968. We followed up to some degree to establish—and I have the copy here, because under Premier David Peterson I was minister of multiculturalism—a Hispanic Heritage Day. But one day for so many countries, 23 countries that trace their origins to the Hispanic contributions and their roots, certainly cannot be enough. The reason I say this is because each country is of course helping to maintain their traditions and culture, but in addition, each country has a special day. That's why we cannot simply say, "We proclaim a day that is Hispanic Heritage Day." We have a job to do, and that is that we should recognize 23 countries and their independent struggles.

As you know, the struggle for independence was not easy. We know that when a country wants to be independent, it is not an easy task to undertake. But when we look at the independent struggles that countries undertake in South America, we also know that in some sense and in some cases they were steeped in blood. Independence, independence resolutions and independence fights from another country are simply not easy tasks, and that's why it is important to recognize that independence comes at a great cost. Every country, from Argentina to the south to Mexico to the north, went through a great tribulation and every country had to struggle to free itself.

In Canada, of course, we're very lucky. We didn't have to go through an independent struggle of a bloody war. We did it somewhat differently, so we say thank you very much that we were able to do this. But in South America the guns were blazing and people died in great numbers. So when we recognize these independent movements today under this heading of Hispanic Heritage Month, we must recognize the contributions that Hispanic Canadians have made to our country and to the development of our province.

It is fairly easy to understand that when we look at the Hispanic community represented in the gallery here today and also represented in other areas in terms of clubs, organizations, libraries and monuments, we see that the Hispanic community organizations have indeed made a great contribution. We see them contributing not only in sports but in music; in the world of arts; as I said to you earlier, in the libraries; in politics; in commerce; and in trade.

My last point is simply this: When we talk about trade, we have to remember that when Hispanics come to Canada, they don't lose their relationship with the country they came from, and consequently—

The Acting Speaker (Mr. Jim Wilson): Thank you. Further debate?

Mr. Ted Arnott: I'm pleased and honoured to have the opportunity this afternoon to speak to the private member's notice of motion 123, which has been presented by the member for Davenport. Of course, the

motion reads, "That, in the opinion of this House, the Legislative Assembly of Ontario should proclaim the month of April in each year Hispanic Heritage Month throughout Ontario, so that all Ontarians can better understand, celebrate and share the rich history and outstanding artistic, cultural, economic and scientific achievements and contributions made by Ontarians of Hispanic heritage."

I too would like to welcome our guests who are with us today to listen to this debate. We are very pleased to have you here and honoured to have your presence as this important issue is discussed. I know that I want to pass along the best wishes all of our caucus members, but our citizenship critic and our leader, Tim Hudak, who would have wanted to be here today personally but unfortunately has to be out touring the province.

I want to commend the member for Davenport for bringing forward this motion today. I know the member has served in this place since 1981, if I'm not mistaken, which means that before the end of this Parliament, he will have served for 30 years, a significant achievement that very few of us will achieve. That means he has been elected and re-elected eight times, if I'm not mistaken. I know he has served on a great many committees in this Legislature and, for a time in the late 1980s, served on the Executive Council of the province of Ontario—he alluded to that in his remarks.

I am also aware that he is the author of a book called Toronto's Many Faces, which is in its fourth edition, which is really something to be proud of, Tony. Given the fact that we're all so busy with our many responsibilities, I'm not sure how you would find the time to do that additional work on top of your important responsibilities, but I commend you for it.

I had the opportunity as well to be with the member for Davenport on Monday of this week, when we were honouring the Romanian community and raised their flag on the front lawn of the Legislature. I know that the member for Davenport spends a lot of his time organizing those kinds of events and hosting those groups of people to recognize their many contributions to Canada and our heritage.

I don't think there's a member in this House who introduces more petitions in the Legislature, especially on Thursdays. I know he has done a good job of organizing the Liberal members this afternoon to pass around a number of petitions to spread the word about this motion, and I expect and anticipate it will receive strong support from all sides of the House.

I also know that the member for Davenport is known for his outreach to the consular corps. He has many friends that he has made over the years, and I know he has made a lot of effort through the years to strengthen our relations with Cuba. For that, he deserves credit as well.

This is yet another resolution that is intended to acknowledge and recognize a specific community in the province, and they should be recognized. We have done so for many other communities with whom we are privileged to share this great province. We celebrate

Black History Month, South Asian Heritage Month and National Aboriginal Day, just to name a few.

The United States has long recognized Hispanic Heritage Month; I know the member for Davenport alluded to this in his comments. This observation began in 1968 as Hispanic Heritage Week under President Lyndon Johnson, which would have been the last year of his term of office as President of the United States. I'm also aware that President Reagan expanded it in 1988 to cover a 30-day period, starting on September 15 and ending on October 15. Of course, this is to recognize the substantial Hispanic community in the United States.

In March this year, the city of Toronto passed a motion requesting that the province proclaim Hispanic Heritage Month. I'm sure the member is aware of that and perhaps, to some degree, that gave him the idea to bring it forward. I'm told that, according to the city's summary of the issue, the concept of a Hispanic Heritage Month is supported in principle by the Hispanic Development Council, the Centre for Spanish Speaking Peoples, the Canadian Hispanic Congress, the Toronto Catholic District School Board and a large number of Hispanic community leaders and community organizations.

I'm also aware that Hispanics make up about 1% of Canada's population in terms of citizens—about 300,000 people. Estimates rise to between 600,000 and a million, however, when we include Hispanic Canadians who have not yet attained citizenship but are living here.

According to Statistics Canada, the largest Latin American Canadian communities are in the census metropolitan areas of Toronto, with almost 100,000 Hispanic Canadians living in the city; Montreal, with almost as many—75,400, it is estimated; Vancouver, 22,000—almost 23,000 rounded off; and Ottawa, with something like 10,000 Hispanic Canadians living in our nation's capital.

I listened quite intently to the member's speech. In fact, I was sitting in the New Democrat benches for a few minutes, which annoyed some of my colleagues. But I'm back to my place now, not to upset the Speaker. I wanted to get down close so I could hear and listen carefully to what he was saying. He emphasized and expressed how he became interested in this issue when he was first elected to council—would it have been?—in 1978 and started to develop the relationships that led to his interest in this community. He alluded to the fact that there are 23 countries that together comprise what we call Latin America. The member detailed the history of the waves of immigration to Canada that took place from Latin America through the years, which has led to our strong Hispanic community. He paid tribute to Bolivar, the great liberator of Latin America, and talked about the suffering of San Salvador after the earthquake, commending the Ontario residents who dug deep to support financially the people who had been victims of that tragic natural disaster.

1410

He talked in quite significant detail about the concept of multiculturalism, and of course, considering his

service as the minister of multiculturalism in the 1980s, he knows that issue well. He talked about the importance of the fact that when we invite people from around the world to come to Canada to live here, to help us build this country, we tell them that they can bring their language, tradition and culture, but all we ask in return is that they help us continue to build our strong nation, which is based on equality and tolerance for all.

So I think this is a resolution that will, as I said, receive the support of members from all sides of the House. I would be very surprised if anyone opposed it, and I think it's something that all of us would want to get behind. I know the member is sincere in terms of his interest in bringing this forward and I commend him for it. I urge all members of this House to support the resolution when it comes to a vote this afternoon.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Peter Tabuns: It's an honour and a pleasure to rise in support of this private member's bill today brought by the member from Davenport. As people well know, the Spanish population of Ontario is quite broad, quite diverse. When you look at the actual numbers, the majority of those who immigrated to Canada come to Ontario, to Toronto. Half of the Hispanics in Canada live in Ontario, and the bulk come from Spain, followed by Mexico, followed by El Salvador.

As I had a great opportunity in the last month, I should note again that my daughter-in-law has newly immigrated here to Toronto from Cuba, a very proud Cuban, a very happy Canadian. I have to say I had an excellent time at the Havana airport, as did she. My congratulations to those who run that piece of infrastructure.

We should look at the immigrants who have come from Spanish-speaking countries to settle in Ontario. Many have come as refugees from war, from upheaval in their countries. In this city, we are honoured to have Pastor Elias Morales, who has a church in the northern part of Toronto. Elias Morales was an executive assistant and aide-de-camp to Bishop Oscar Romero, who was a voice for sanity, a voice for humanity in El Salvador, cruelly murdered. There's a large Salvadoran community here in Toronto—I had an opportunity last Christmas to attend their party—and it's a people who have gone through extraordinary adversity, who have come to this city, to this province, rebuilt their lives and, in doing that, have made this a far better city and a far better province than it was before.

I was politically active in the early 1970s, when there was another wave of immigrants who came to Toronto, to Ontario, and those were from Chile—people who were well educated, who were committed to community, who had fled for their lives from the situation in that country, who had done their best to address the profound issues that face the people of Chile, their efforts cruelly cut down by a coup d'état, golpe de estado, a people in this country who have become very influential in this community, a people who organize well, who love life, who made Toronto, Canada, a different place.

The reality in Ontario, in Toronto, is that the Spanish-speaking population is growing and there are a number of organizations that represent the Hispanic community here. They promote Spanish and the Spanish culture—roughly, the mother tongue of 160,000 Ontarians is Spanish—and they contribute to our art, to our music, to our science and to our business.

We note that the Americas have also contributed an extraordinary drive for an independent foreign policy, taking on great odds. I'll cite the case of Cuba, which, since the 1950s, has pursued its own foreign policy, independent of its giant neighbour to the north and in fact enduring a blockade that has gone on for decades and that has cramped the economy of that country, a blockade that cannot be justified, that reflects the internal political demands and pressures of the United States but does not reflect a sane and rational foreign policy with regard to that country. Canada, thankfully, has not been part of this blockade and has intelligently carried on a good, productive working relationship with the people of Cuba.

People in industrialized countries sometimes think that they have a monopoly on good sense and good policy, but in fact we have much to learn from the industrializing world, the developing world. People in this chamber will be well aware of the events in the city of New Orleans when it was hit by Hurricane Katrina. Many drowned; many were abandoned. But in Cuba, with far fewer resources than one would see in the United States, they have an active and effective policy of moving people out of the way of hurricanes when they hit that country. They know how to save lives, and frankly, it would be to the advantage of English-speaking culture in North America to look at what has been done in Cuba, to learn from their very effective programs in protecting and saving human life and to take advantage of that here on this continent.

In saying all of that, I recognize, and it has been my experience—coming from an immigrant background myself—that immigrants have changed Canada and Canada has changed immigrants. There is a Canadian-Hispanic culture that I'm sure reaches back out into the countries where people originated and in turn affects those countries and those cultures. When I talked to people at a Salvadoran event last Christmas, they talked about their interaction with people in El Salvador and how they took what they've learned about politics and electoral process here in Ontario, in Canada, and passed on information to their friends; information that people have acquired here in terms of medical procedures. They have taken volunteer brigades down to El Salvador, giving people the kind of medical coverage in the countryside that is not otherwise available to them. So there's an opportunity through the bridge that is the Hispanic peoples of this province, a bridge between us and the majority of the rest of the Americas, which can bring knowledge, goods and beneficial impact in both directions. For this reason alone, it's useful to have a Hispanic heritage month recognized here in Ontario.

If you have an opportunity to go to things like the Hispanic-Canadian dinner that happens once a year, you

get an opportunity to see the full range of Hispanic cultures, both in the Americas and the cultures as they've developed here in Toronto. What was most interesting to me, not this year but the year before, was being at a Hispanic-Canadian banquet with the entertainment provided by Bollywood dancers. I have to say, that said to me that it was truly a Toronto event, that people mixed cultures—

Mr. Mike Colle: Bollywood dancers?

Mr. Peter Tabuns: Yes. For those who take note of that, I just thought, yes, absolutely. People mix and match cultures. They take the best from all of them and they put them together. We have the Hispanic Canadian Alliance of Ontario, the Ontario Hispanic Chamber of Commerce, the Hispanic Development Council, the Hispanic Ontario Lawyers Association and, on a national level, the Canadian Hispanic Congress. We have a variety of organizations, but I also have to say, at the grassroots level, we have—and this is primarily for people from Mexico—Mexican farm workers who have been fighting hard to organize and bring justice to those who work in agriculture in this province. Ontario benefits tremendously from those migrant workers who come here and do work on farms, and I for one feel that this province needs to recognize those workers and their right to organize and should be helping them get the sorts of wages they deserve, given the hardness and the importance of the labour that they engage in.

1420

I have to say that it's a bit distant in time and place, but if you look at the whole history of the National Farm Workers and the United Farm Workers in California, the organizing work done by Cesar Chavez and the United Farm Workers over decades to bring justice to those farm workers is extraordinarily inspiring. What they did to change the reality on the farm in California is something that needs to be done here in Ontario so that people who work in the soil with their hands, producing the fruit and vegetables that we enjoy throughout the growing season—those people deserve to be paid decently, and it's my hope that when we celebrate this month, Hispanic Heritage Month, we will also look to those farm workers who contribute with their sweat to making this a bountiful and wonderful province.

We are engaged in substantial trade with Latin America. We engage in trade with Mexico. In 2008, Ontario imported over \$1.7 billion worth of goods from Peru and over \$1 billion worth of goods from Puerto Rico. We exported over \$40 million worth of goods to Panama in 2008. We rely on Spanish-speaking countries for a wide variety of goods and we rely on Hispanic countries for an export market. So for a wide variety of reasons, it's to our advantage to deepen our connection with the Hispanic world in the Americas. It's a good idea for us to recognize the value and the interconnections of the Hispanic community here in Ontario, and it makes sense, every April, to raise the consciousness of people in this province about the contribution and presence of Spanish-speaking peoples in Ontario.

I say to the member: I understand that in bringing this forward, it's quite clearly your intent to make sure that the bridge that exists is strengthened; that our connections are deepened; that the advantages that we draw from this mutual interaction are made much greater than they are now. So I congratulate the member and I look forward to the vote.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mike Colle: *Remarks in Spanish.*

It's a wonderful opportunity here to support this initiative of the member from Davenport. As you know, he is, as the member from Wellington said, a tireless champion of building bridges. He is a bridge builder, and I think sometimes not enough credit is given to him by those of us who are around this place over the fact that he is promoting trade, commerce, tourism and awareness. He's like a one-person trade ambassador, and his work sometimes goes unrecognized—but I don't have to go on too much longer. The only thing I'm upset with him about is that he has a special relationship with the people of Cuba, yet for the Pan Am bids, Cuba didn't vote for the Canadian entry. I've lodged my complaint with the member from Davenport; I'm very disappointed with the government of Cuba for not supporting Canada when over a million Canadians visit Cuba every year and have been longtime friends with that great nation. So I hope he will intercede on our behalf and note our objections to that.

Getting back to Hispanic Heritage Month: If it hadn't been for Queen Isabella of Spain, perhaps we would be here today on a resolution celebrating Italian Heritage Month. If the Italian city-states at that time had had any foresight, they would have accepted Christopher Columbus—or, as they say in Spain, Cristóbal Colón—because, if they had accepted him, we would have had Italian being spoken in all these 23 countries. But that's history. We shall never forget that big mistake, but it was a positive move for people of Hispanic heritage.

I just want to mention that there are so many incredible contributors to making the world richer who have come from the countries we're honouring.

We've got incredible authors of the past, like Miguel de Cervantes. His great work *Don Quixote* is maybe one of the top three pieces of literature ever put together by any author. A modern author whose great books I really recommend reading is Gabriel García Márquez. I just finished up *Love in the Time of Cholera*, an incredible insight into what's happening in Spanish-speaking countries. I don't have to mention one of the most renowned artists ever, Pablo Picasso; great actors like Anthony Quinn; incredible singers like Plácido Domingo, Carlos Santana; Tito Puente, the mambo king; Chi Chi Rodríguez, the very entertaining golfer; Maradona, although he's sometimes a bit erratic. We've got incredible female athletes like Nancy Lopez in the United States. For the first time in the history of the United States, there is a judge of Hispanic heritage: Judge Sonia Sotomayor has just been made a member of the Supreme Court. Anyway, it goes on and on.

I'd like to thank the first person of Hispanic origin to be elected a city of Toronto councillor: Cesar Palacio is here, and he has been a great advocate of this kind of recognition.

As I think the member for Wellington was saying, in greater southern Ontario there are probably over a million people who have Spanish as their first language, not their second language.

This is an opportunity for us to celebrate, honour and also connect with these incredible countries and people, so that we can have events that will attract tourists, commercial activities, cultural activities, musical activities, art shows, all done here in Ontario, in communities like Guelph, London, Etobicoke North and Scarborough. We have to start celebrating these incredible people who have come here with their art, their music—even in Hamilton. We have to ensure that the people of Hamilton celebrate the incredible contributions of Hispanics who have gone to Hamilton.

This is an entrepreneurial opportunity. As the member from Davenport tells you, it's not just about the incredible music and culture; it's also about business opportunities. I think the member from Danforth said that we have to be more trade-conscious. We can't just relate with the United States. We have to relate with Cuba, Colombia, Chile.

So let's take the lead on this. I again urge you to support this very long-awaited resolution. It's about time. Gracias.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: *Remarks in Spanish.*

It's a privilege and an honour to stand up in my place and speak in support of the resolution which was brought by my colleague the member from Davenport. He's a great supporter of the many different nations and is a great supporter of multiculturalism and the diversity in this province of Ontario. He's especially a supporter of the Hispanic community in the city of Toronto and across the province of Ontario. Very often, many members call him not just Tony Ruprecht; they call him Antonio Ruprecht, in recognition of his ties to the Cuban population and government, and also to the people of Hispanic descent in the city of Toronto.

I want to speak on this resolution because it's important not just for the members from Toronto; it's important to me, too, because I represent London-Fanshawe, which has a big population of Hispanic descent. The first wave came early in the 1990s, when they had the wars in Central America. They came from El Salvador, Nicaragua and many different Central American countries. Later on, we got massive waves from Colombia. As a matter of fact, they now call the city of London "Londombia," in recognition of its growing Hispanic community.

1430

No doubt about it: The Hispanic communities in the cities of London and Toronto, and across the province of Ontario, contribute a lot to the multiculturalism and

diversity, to add to our mosaic another flavour which they bring with them: the food, the culture, the literature, the music and many different other things which enrich our society, enrich our province and enrich our country. That's why I think it's important to support that resolution to proclaim the month of April as Hispanic Heritage Month: to recognize those people who came from the Hispanic countries, 23 countries, to Ontario, to this beautiful province, to celebrate with us our heritage and add to our heritage another heritage which gives us the chance to know more about other countries.

My colleague from Eglinton-Lawrence mentioned important things. You know, when we welcome people, we welcome them not because we are good and nice people—besides that we're a good, nice province and are good people in the province of Ontario, we also depend on them to reach out to their nations, to their native lands, to which we want to strengthen our ties and trade and intellectual abilities and education and all those matters in order to strengthen our presence in this province of Ontario. That's why when we stand up in our places as members elected on behalf of the people of Ontario to support certain resolutions—especially like this resolution—it's important not just to talk about it; it's important to recognize it and also celebrate it; not just in Toronto, not just in this place, but across the province of Ontario, across many different communities who host many beautiful communities of Hispanic descent.

Again, I want to congratulate the member from Davenport for bringing such an important issue to this House. You've got my support and I think, from what I heard from all sides of the House, you've got all their support.

Thank you again for allowing me to speak.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mario Sergio: I'd like to add my compliments to the member from Davenport, Mr. Ruprecht. As much as we like to address him as the Cuban representative here in Canada, I think we have to recognize him as well as the champion of our ethnic community. For years he has been here, before anybody else in this House, as a tireless worker and spokesperson on behalf of the ethnic communities here in our province.

Remarks in Spanish

I said that I'm delighted to offer congratulations to the people that are here today, as I have a very large population in my own area of Spanish/Latino communities. I have Argentina—a very huge one—Chile, Peru, Uruguay, Peru, Honduras and others as well. I have to say that all of them bring a very particular, wonderful flavour as no other, especially when they combine the music, their rhythm and the foods. It's the people themselves. They have integrated so well into our community and they are extremely hard workers, extremely good citizens, law-abiding citizens, and I think they have enriched our country, our province, our city and our community, as have all the others.

Today is a good day for our community, and we have to thank Tony Ruprecht for having the foresight and

recognizing the importance that they deserve to be attributed as a community. They come from various areas, but all of them bring a unique sense of belonging. And wherever they go—and in my area I have maybe five miles by five miles, but I have about 110,000 people in my district. I have the wonderfully famous Jane and Finch, which I think is a wonderful area, and I have a lot of them in that particular area. They are there, they are working, they are contributing, they are shopping in the area. And if you would only walk in the area and see the shops, see the quality of their product, the wonderful things that they expose, I think that is why our province is so rich. So to Tony Ruprecht, the member from Davenport, let me say congratulations for letting us know [*Remarks in Spanish*] how wonderful this community is.

Sometimes when I give my name, I have to say that I am—take your pick, because my name can be anything in Spanish or Italian.

Compliments to all of you; compliments to the member from Davenport—

The Acting Speaker (Mr. Jim Wilson): Thank you. Gracias.

Further debate? Seeing none, Mr. Ruprecht, you have up to two minutes for your response.

Mr. Tony Ruprecht: First of all, let me say, Mr. Speaker, [*Remarks in Spanish*]. Thank you very much to all of you who have spoken, especially of course the members from Wellington—Halton Hills, from Toronto—Danforth, from London—Fanshawe and from York West. The member from Eglinton—Lawrence—if I had a place on this resolution, I would like to put his name on here as well.

We, of course, Mr. Colle, also wanted to say thank you very much to Councillor Cesar Palacio, who is here today as well, because he too helped to formulate this, to a great extent.

In order to complete my remarks, I would like to point out, as most members have indicated but I think it needs underlining, that we have to do diplomacy differently. Just this morning, there was a new term that was used on the radio. It said that we have to do diplomacy in a way that is totally different from what we had practised before. It is a diplomacy that has to connect with trade. It is a diplomacy that we have to look not just to the one country where we do 85% with our trade; we have to look beyond those borders to South America. These are really our neighbours, starting from Mexico all the way to Argentina. If we are smart, we know that this kind of diplomacy will gain us a great deal. That's what we have to do today. It is no longer an old world. It's totally changed. We can no longer be satisfied. That's why these heritage days and that's why this whole idea of multiculturalism is so important to the development of this country called Canada, because we have wealth. Not only do we have the old traditions of being hewers of wood and drawers of water and sitting smugly in our communities; no, we have to do this new diplomacy because it will strengthen Canada.

Mr. Speaker, I thank you very much and all the members in supporting this bill.

The Acting Speaker (Mr. Jim Wilson): The time for that ballot item has expired. For those in the gallery and those watching at home, we'll vote on Mr. Ruprecht's item in about 100 minutes.

HIGHWAY TRAFFIC AMENDMENT ACT (SENIOR DRIVER'S CONDITIONAL LICENCE), 2009

LOI DE 2009 MODIFIANT LE CODE DE LA ROUTE (PERMIS DE CONDUIRE RESTREINT POUR PERSONNE ÂGÉE)

Mr. Ramal moved second reading of the following bill:

Bill 221, An Act to amend the Highway Traffic Act to create an optional conditional driver's licence for seniors / *Projet de loi 221, Loi modifiant le Code de la route afin de créer un permis de conduire restreint facultatif pour les personnes âgées.*

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, Mr. Ramal, you have up to 12 minutes for your presentation.

Mr. Khalil Ramal: Thank you, Mr. Speaker, for giving me the chance to introduce a bill. It's important to me and important to many people across the province of Ontario.

Normally I like to stand up and speak in support of and comment on many different bills. Today I am privileged and honoured to stand up and speak and debate and listen to many people talking about my bill, An Act to amend the Highway Traffic Act to create an optional conditional driver's licence for seniors. If I had the chance to rename the bill, I would say Michelle Krohn, An Act to amend the Highway Traffic Act to create an optional conditional driver's licence. I say that in the presence of Michelle Krohn, who is with us here today in the gallery with her daughter, Yvonne Racowiz—I guess I said it correctly this time—and also the vice-chair of CARP in London, Dan Procop, who came from London and St. Thomas this afternoon to be present to listen to debate about this important issue.

As you know, Mr. Speaker, all the time all of us, from both sides of the House—different parties, different governments, different people—talk about seniors and what we can do for seniors in Ontario to support them living independently in their homes without any support, and how we can give them the chance to be mobile, to move from point B to point Z without C or D or whatever—without any obstacles.

1440

Mrs. Krohn came to my office almost a year and a half ago. She was talking to me about the importance of this bill. I listened to her for a long time, explaining the importance of a conditional driver's licence for seniors.

She's an active woman, an active senior, a writer, an author, a publisher. She knows very well the importance of all these elements. She's a great advocate on behalf of

seniors, not just in the city of London or the London area, but of seniors across the province. She knows a lot about the importance to seniors of being able to drive, to visit their daughters—in her case, to go to St. Thomas—to go to a shopping mall or a grocery store, or to go see a doctor without calling somebody to drive her wherever she wants to go. She's still fit; she's still able; she still functions very well mentally and physically.

For some reason, as you know, Mr. Speaker, we have one driver's licence across the province of Ontario, one condition for all people, whether they're young, adult or senior. Therefore, the driver's licensing system we apply to all the people in Ontario does not fit all populations, does not fit all ages, does not fit all circumstances, whether health or physical conditions. That's why she came and told me, "It's important to me."

I also heard that she contacted the member from Timmins—James Bay, Mr. Gilles Bisson; she referenced him in her letter. Because she doesn't live in his riding, he referred her to my riding. She also contacted Mr. Bentley. But as you know, a cabinet minister cannot introduce a private member's bill, plus he's not the minister in charge of that portfolio.

She came to my office and we talked. I was convinced. That's why I went to the Minister of Transportation and the minister responsible for the seniors' secretariat to tell about the importance of this bill to allow seniors to be able to drive in certain conditions.

In my bill, I referenced after 65. I got the 65-year mark not because every senior won't be able to drive after 65, or has to go through that exercise and get a special driver's licence. As you know, when we pass 65 years of age, we are called seniors. We become a senior automatically, according to the label, according to the law we use and practise in Ontario. That's why I used the 65 benchmark.

I know that many seniors past 65 still drive and have the normal driver's licence. But many others cannot obtain a driver's licence, maybe because they cannot drive at nighttime or cannot drive on the highways or cannot drive in certain conditions. That's why many other provinces in Canada promoted a conditional driver's licence.

For example, in Newfoundland and Labrador they have driving restrictions custom-designed to meet the driver's needs. Some of the most common restrictions are speed zone, daytime only, geographical region and adaptive equipment restrictions on drivers who have heart conditions. In Manitoba, for instance, restrictions include class or type of vehicle; convex mirrors on fender; daytime driving only; or specific geographic area in which they can drive. In Quebec, they have a special, flexible program that restricts some drivers to driving only in the daytime.

In some other jurisdictions, they have created different measurements. I go back to Manitoba. They have class 5 drivers. We have the G and regular driver's licences in Ontario. They have class 5 for people who have vision of 20/60. It gives them the ability to drive—not at nighttime

and not on highways—in the daytime when weather conditions are good. Some provinces authorize people who cannot obtain the normal driver's licence to drive at certain speeds, with a label on the car, to drive at certain times or certain speeds or in certain zones.

As you know, we live in a huge province geographically. We cannot customize all driver's licences or the conditions according to Toronto measurements. We have a lot of people who live in different parts of the province. Only 27% of the people of Ontario live in the Toronto area, but the rest of the 13 million live in small cities like London or St. Thomas, or they live in the north, where the population is very, very small and the traffic is not huge, not big.

I think it's important for us, as elected officials in this House, in this place, to represent the people of Ontario, represent the infants, represent the children, represent the adults and represent the seniors. We have to act that way. We have to be balanced in every way in order to address all the issues concerning our population in the province.

In this case, I hope all the members from the different parties stand up and support this important initiative. As I mentioned earlier, we're not inventing the wheel here in the province of Ontario. Many other provinces already have some kind of conditional driver's licence for seniors and they give them a chance to drive. Well, according to CARP—I looked at the statistics—many people have a normal driver's licence and can drive anywhere, any time, but they choose to drive only in the daytime and do not go on the 400-series in Ontario or on highways such as the Queen Elizabeth Highway or the Don Valley in Toronto. They choose to drive inside the city or in the countryside, where the traffic is very limited. Why, for some reason, do we want to block that huge population from driving where they are able mentally, and physically to a certain degree, to drive at certain times and in certain conditions? As you know, we talk all the time about the aging-at-home strategy to allow people to live at home when they become seniors. How can we help them out when we have taken all these provisions away from them?

Also, we live in a province where the population is aging on a regular basis, and the statistics are very clear. In the year 2011, we will have one million extra retirees. Our population of seniors in Ontario is almost 1.1 million. We're not talking about one or two or three or four; we're talking about almost a tenth of the population of Ontario as a senior population.

I think it is our obligation and duty as elected officials to deal with this issue in a professional matter. First, people are talking about safety. We're not talking about giving licences left and right without any conditions. But there are still those conditional driver's licences which allow seniors who cannot obtain a normal driver's licence, who cannot drive on the highways, who cannot drive at nighttime, to drive in the daylight, and also drive on the small roads. They'll also be subject to medical evaluation because we are also concerned about the safety of other people who drive on the road.

I hope all my colleagues from our government side and from the opposition side get the chance and the time to read this bill very well because it's important. I know many people watching us today, and especially the seniors, are looking forward to seeing the passage of this bill.

I had the chance last week to attend an event that was put on by Over 55. We have an organization called Over 55. They have chapters across the province. They deal with people who are past the age of 55 to help find a job and to help them fit into their communities. I get all the support from them too. They told me it's important. "When we get old, when we become seniors, it doesn't mean we're not able to do something for our community, or we cannot volunteer, we cannot work, we cannot do this and this and that. Please give us the chance and give us the ability to continue doing what we do on a daily basis, to continue giving back to our communities in our way. Give us the freedom to be able to visit our daughters, our granddaughters, our grandkids. Give us a chance to be able to obtain a job. Give us a chance to go to the grocery stores without any support from a neighbour or a daughter or a son. Please give us a chance to be mobile, to be able to go anytime we want to see a doctor. We want to go to the mall, to spend some time or do shopping."

1450

So this bill is important for many seniors across Ontario because this bill gives them the chance and ability to continue to connect with their loved ones, to be able to be independent to a certain degree and do something for themselves without any support from any organizations or families.

Thank you for allowing me to speak. I'm willing to hear from all sides of the House about the importance of this bill or the rejection of this bill.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Frank Klees: I, at the very outset, risk disappointing my colleague the member from London-Fanshawe. The reason for that is that I will not be supporting his bill—not because I don't agree with the intent, because I absolutely do. The objective is clearly to enable seniors to be as mobile as possible, to give them the opportunity to drive legally and safely for as long as possible, and I cannot argue with that. I support that wholeheartedly.

I approached this as not only the critic for transportation for the official opposition but also as a former Minister of Transportation and as someone who wrestled with this issue on, really, a very personal basis. That was through the eyes of my father, who as a senior citizen was intimidated every time he had to go back for that retesting as a senior. I was then Minister of Transportation, and I can tell you, I was lobbied by my father on a number of occasions on this issue. It actually prompted me to call in my deputy at the time to say, "What can we do here and what is the real problem?" We were on the verge, I believe, of actually resolving this issue when, as

luck would have it, we had an election in 2003, and I woke up one day and I was no longer the Minister of Transportation. I ended up on this side of the House, and as happens when there is a transition of government, often these well-intentioned initiatives are sidelined. So I was actually pleased to see the issue come back before the House. But I believe that there is a better solution.

I'll tell you why I don't believe that to issue a seniors' driver's licence is the answer. First of all, I believe that to issue an age-specific conditional licence is, quite frankly, discriminatory, which is one of the reasons why I personally objected to the age of 80 as triggering that annual visitation to retest. I believe that there should be another test, and that is, quite frankly, the ability to drive safely. How do we achieve that? I believe we achieve that by simply putting restrictions on driver's licences, which is what I had proposed to the ministry at the time: that we proceed from a policy standpoint.

The reason I object to a seniors' driver's licence is because you don't have to be age 65 to have a night vision problem. You don't have to be age 65 to have challenges driving under certain conditions. We have a serious problem at the Ministry of Transportation right now, and that is in terms of how we handle medical disabilities and referrals by a physician to the Ministry of Transportation when someone has had a heart attack, a seizure or any particular other issue. Someone is obligated now, as a medical practitioner—if there is an examination that takes place and a medical practitioner has any reason whatsoever to believe that it may affect that person's ability to drive safely, they must refer that to the Ministry of Transportation. Anyone in this province who has been caught in that circumstance knows that overnight they lose their right to drive, and then to try to get that matter rectified through the process that exists now at the Ministry of Transportation is a nightmare experience. We need serious reform of that entire process within the Ministry of Transportation.

I believe that organizations such as CARP, the Ontario Safety League—and I want to welcome the representative from CARP here. We also did our research. I don't know if there's some misunderstanding within the organization, but let me read to you an e-mail that I received from Pam Maher, who's the advocacy and communications coordinator for CARP here in Toronto. I believe it's a national organization.

It reads as follows: "CARP supports a limited licence for competent drivers of any age who have impairments but are otherwise able to drive safely. This limited licence could include restrictions for night driving or on 400-series highways and would provide an alternative to an outright ban on driving. CARP cannot support any bill which has an age determination.

"CARP understands that the Ministry of Transportation is developing a policy on restricted driving and is of the view that this process should be accelerated."

That is from CARP, who, I think, based on the reading, basically agree with me that yes, we should have restrictions that aren't intended to restrict driving; it

restricts driving under certain circumstances but actually frees up the individual to drive under circumstances that are safe.

I have a quote here that I'd like to read into the record as well from Brian Patterson, who is the CEO of the Ontario Safety League: "We oppose private member's Bill 221 as it has no administrative value and will bring no benefits to senior drivers. It will make Ontario the first provincial jurisdiction to isolate senior drivers in the way it does."

Again, I don't believe that this communication that I've read into the record in any way opposes the intent of my colleague's bill, but it does object to the means of getting there. And I have to object. I don't believe that we in this province should be issuing a specific conditional driver's licence just because someone is a senior citizen, just because they are age 65. I do believe, and strongly support and will advocate for a system of being licensed in this province that recognizes certain circumstances under which some people cannot drive safely. That can be done very simply, not by creating yet another class of licence, not by creating yet another driver's licence that categorizes people according to their age, but rather that accepts the fact that some people cannot drive in anything but daylight. So you put a restriction.

I have a little note on my driver's licence that gives me the right to drive a motorcycle. It's not a different driver's licence; it just simply indicates that I have some latitude within that driver's licence to do things other people can't do. In the same way, I believe that we can focus the Ministry of Transportation not to create additional administrative burdens. That's what I am concerned about. Every time we create another bill here, we add level upon level of additional administration. Now we have to hire another unit to look after the seniors' licences. Not that I'm against employment, but the leading employers in this province should be the private sector, not government. I believe there's a more efficient way of addressing this issue.

To the member from London-Fanshawe: I totally support your objective, and my father would be proud of me today that he hears me from the floor of the Legislature advocating for something that he wanted me to do while I was the minister. I lost the time to do that. Hopefully now the current minister, my good friend Mr. Bradley, will have the opportunity to consider the debate that's taken place here and to put in place a system that will in fact free up our seniors as well as anyone else, regardless of age, in this province who now has restrictions that keep them from being as mobile as they could be by implementing a system of simple administrative restrictions.

1500

I encourage the minister, while he's at this, to undertake a comprehensive review of his ministry's ability to process medical restrictions to ensure that people are not unnecessarily kept from mobility because of a laborious system within his ministry that fails to take into consideration current medical information that could free up people to drive on Ontario's highways.

I leave those considerations. I trust my colleague will take my remarks in the spirit in which they're intended. I will not be able to vote for this bill, but I'm happy to work with him on achieving the objective.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Gilles Bisson: I'm pleased to join this debate. I want to say I will be supporting this bill and I'll give you the reasons why.

But first of all—I'm sorry; I got baited—I do need to respond to one thing that was said by my good friend Mr. Klees, and that is that one of the bases he is opposed to this on is that all of a sudden government becomes too big of an employer, there are too many people working for government. The first point I say is, look upstairs. Who are the people we hire? They're fire chiefs, fire fighters, police, nurses, doctors, teachers. They're people who deserve our support and are essential to making sure that our society works. So yes, it takes people to deliver those services, and they work hard for the money that they get. I get a little bit upset when I hear that rhetoric from the Conservative Party that somehow or other it's a bad thing to have people working for the government, because we forget that those people do the very important work that is necessary for this province to function.

The second point I would make is this: We're a \$100-billion business. We have a \$100-billion budget in this province, and it's getting bigger. But if you looked at how many people work for the province of Ontario, if you were a corporation of \$100 billion, we hire far fewer people than the private sector. Because most of our—

Interjection.

Mr. Gilles Bisson: No, this is much more efficient; trust me. Look at our health care system and go have this debate in the United States.

I would argue that if you're going to spend \$100 billion in the private sector versus \$100 billion in the public sector, the public sector is quite a bit more transparent. Frankly, we hire fewer employees because most of our money goes to some very basic things, such as making sure we have pensions for seniors, making sure we have, in case of need, unemployment insurance, yes, welfare, pensions for people on disabilities. Those monies go to support people.

I just want to say upfront that as a reason not to vote for this bill I find it a little bit hard to take. But anyway, that's my social democratic view. I respect Mr. Klees and his conservative view, but I've got to say I disagree.

I want to then talk about some of the reasons why I think this is a good idea and what we probably need to do at committee in order to make this even better, because I think we should allow this thing to go to committee.

I would ask Mr. Klees to think about that because one of the arguments you make—I understand—is the age discrimination issue. There are those within CARP and others who will argue that 65 years old—if you make it an age-based licence, it's age discrimination. I don't buy that to the same degree, but I understand the argument. Is a person who turns 65 who gets a pension being discrim-

inated against? I don't think so. A child who turns—what is it, 18 or 19 to drink in a bar these days?

Interjection: Eighteen.

Mr. Gilles Bisson: Eighteen years old. A child becomes a young adult at 18 years old. Are we discriminating because we don't allow them to drink before 18? No. These are arbitrary numbers that we've picked for reasons within our society. So if the issue is that, I again say that there are all kinds of other precedents out there where we use age for certain triggers in our society to make things happen. But I do understand that maybe what we need to do is—and I think this is what the member is trying to do—provide a mechanism for a driver who says, “You know what? I ain't going to drive on the Highway 400 series any more. I don't want to drive at night. God, I don't even want to drive in downtown Timmins. All I want to do is get in my truck at the cottage and go pick up some wood, or I want to be able to drive to the grocery store, maybe the liquor store,” and do the things that are necessary so that you can enjoy a reasonable life, living independently.

The question becomes, should the legislation say, “Well, this is available for you at 65 and, therefore, you can apply for a licence that has fewer conditions on it”—or it has more restrictions, I guess is the way I would put it. That's one approach. Or do we say to all drivers—you know, there may be drivers out there who say, “Listen, I don't feel safe driving on the Highway 400 series. I don't feel safe driving at night,” because they may have a vision problem or whatever it might be, and maybe we should have a system for all drivers to be able to opt for a licence that has more restrictions.

I think that's a fair debate, but we should allow that debate to happen in committee and allow the bill to get out of this House so that at least we can have that debate. I think it's an interesting one, and I'll give Mr. Klees—he has thought out his argument well. I understand where he's coming from. I don't totally agree, but I understand the argument.

I want to put this to some practical measure, and we all have seen the examples in our own homes and within our circle of friends and acquaintances in our communities. My mother, 78 years old, passed away last year. The thing that drove her over the top was that one of the problems she had for the last maybe seven or eight years of her life was a problem with her vision. So she had to go through a test to make sure that she had the vision to be able to drive, but they would also send her out on the driving test. Man, that would work up Mom. Mom would get worked up for two or three weeks, and her blood pressure would go about up here. She was just livid about having to go for that test—for a whole bunch of different reasons.

One reason is, “Well, first of all, why should I have to worry about some of the stuff that they're worried about testing? I don't do it. I don't parallel park. I never parallel parked in all of my life. I've got a big driveway. I have a house that allows me to do that.” “I don't want to parallel park,” my mother would say; “I don't drive at night. I don't see well enough.” She herself understood her

limitations, and she, like most of us, sees driving and getting a licence not as a right but a responsibility and understood that when she got behind the wheel, it wasn't just about her safety and possibly the safety of other passengers; it's also others who happened to be in contact with these cars as we're out on the streets—pedestrians, bikes, motorcycles and cars. So she understood, as a responsible adult, that she had certain responsibilities.

But the other reason she used to get really upset about it was: “Who are they, telling me, at 76 years old, that I don't know how to drive? Who are these people?” I'll tell you, we've seen that argument in our families, and we've seen that argument with our friends. It is a bit of a blow because we, unfortunately—or fortunately, as some of us will live long enough to see our elder years, our golden years. There's a certain loss of independence that a person goes through as they get older. You get to a point where your kids don't—well, kids sometimes don't listen to you when you're younger, but that's a whole other issue. But you get a little bit older and all of a sudden you're not needed as much. You play a very different role within the family. Your kids are much more independent. The grandkids don't drop in as much. People in society—you used to be in the centre of it; you were the decision-maker, you were in business, you were in the labour movement, you were in politics or you did whatever. All of a sudden, you find yourself somewhat less valued because of what's happening in the circumstance of your life at that particular point.

That was the point my mother was at. It was one of the things that just drove her crazy, this, “Who are they to tell me I can't drive?” I understand that my mother had to go through that because she had a vision problem, but certainly we could have made that process easier for her. That's why I want to thank the member for bringing this forward, because I see this as a good compromise. Mom would have been able to have some dignity as she went through this and said, “Listen, I opt for a lesser licence. I don't need all of this other stuff; I need this. I can survive with that type of licence. If I have to do those other things, I've got my sons to do that, and I've got family and friends who can do that for me as well.” That's fine.

I think of Camelo Bourdignon, who is a long-time supporter of mine and a good family friend of the Alberton family and the Daminiat family. At 80 years old, in perfect health, he decided to give up his driver's licence—Camelo, a strong, hard-working man who emigrated from Italy, who made his life here, like a lot of people who came as new Canadians; a very proud man, worked hard, raised his family and they all did well. But I've got to tell you, I remember talking to him as he was getting close to his 80th birthday. I said, “Mr. Bourdignon, you're turning 80 soon. How do you feel?” He said, “Mad as hell.” I said, “Why?” He said, “They want me to go for a test, and I'm not going. I'm giving up my driving. I'm going to give up my licence.”

It was the only mechanism that he and his wife had to be able to move from point A to point B. In many communities—and luckily for us in Timmins, we have transit, but that's not what he wanted to do.

1510

The only reason he used his car was to go from his house, which is to the side of the golf course, to the grocery store, which is down the road; yes, to the beer store or the wine store to get a case of beer or a bottle of rye—he made his own wine so he never had to worry about that. He used his car—actually his pickup truck—very infrequently.

Camelo made the point that he felt it was an attack on his pride and it was an attack on him to have to go through a test to prove that he can drive, even though, for all of those years that he's been in Canada, he had a safe driving record. For all of those years in Canada, he did what he was supposed to do, did it within the confines of the law and never got charged. He says, "Who are they to come all of a sudden and say that I'm too old and I can't drive?" Can you blame Camelo? I think he represents the views of many people who find themselves in that situation.

So I want to congratulate my friend who brought this idea forward. I think you did the right thing by going through your local member. We have very selected ability to do private members' bills, and I want to thank my good friend the member from London-Fanshawe for bringing this thing forward.

I think there will need to be a little bit of thinking at committee, and this is what this is all about. I'm sure that when we all draft bills—and I've done it myself—something is going to scream out at us and we say, "Ah, I should have done this," and that's what the committee process is about.

But the basic principle is the right one, and that is to give people an option about the type of licence they're going to have, that you don't have to be measured to a test that you don't want to be measured to because you know you might not be able to meet it because of circumstance, and allow people to say, "I'm going to be happy driving during the day, I'll be happy driving in my neighbourhood, and I'll be happy having certain restrictions, knowing that that's the limit of my ability to drive, but that's all I want." We want to give people the dignity that they need, especially in our golden years, to be able to have the pride of saying, "I've been a good driver, I've done a responsible job as a driver, and I'm not going to have to go through the many insults that having to go through that particular type of test would be."

So it's going to take some amendments, but at the end of the day, I think it is a step in the right direction, and I want to say we will be supporting this bill at this point and look forward to seeing it in committee.

The Acting Speaker (Mr. Ernie Hardeman): Further debate?

Mr. Tony Ruprecht: Let me say at the outset that I will be supporting Mr. Ramal's Bill 221, to create an optional conditional driver's licence for seniors.

A driver's licence is really a ticket to independence; it is a ticket to freedom. I want to echo the words of my friend from Timmins-James Bay.

Before my mother passed away, it was almost a similar story. She could not drive at night, but she could

certainly drive in the daytime. When they took her driver's licence away, she not only took that as an affront, but she really decided that from that moment on she became fairly useless, and I'm pretty sure that added quickly to her years.

Let's have a quick look at what other provinces are doing. Look at, for instance, Alberta: a special driver's licence for daylight driving only. Manitoba: a class of vehicle of type and, as the member from London-Fanshawe indicated, a class 5 driver's licence. Look at Newfoundland and Labrador: Driving restrictions are custom-designed to meet drivers' needs.

Prince Edward Island: Restrictions include daytime only. Quebec: Of course it's a whole different combination of restrictions here, but the program places an emphasis on what? On flexibility. Yukon—we wouldn't be the only ones.

So I'm really surprised, and I want to echo your words in a way. I'm really surprised at the member from Newmarket-Aurora. I know he tries to do the decent and the right thing. He tries. But he should also know the process around here. This is not cast in stone. This has the ability to be changed. We need you on the committee. We need you to come forward and say to the committee exactly what you said today, because it makes sense. You can make a big contribution as a former Minister of Transportation.

So we ask the member to change his mind. Stand up and be counted by saying yes, because you know the only way anything will get done around here is not by passing that "hot potato" on to the minister and saying, "Here, you'll fix it." No. Get into committee, please. We beg you, do the right thing.

The Acting Speaker (Mr. Ernie Hardeman): Further debate?

M. Jean-Marc Lalonde: Merci, monsieur le Président. C'est avec grand plaisir que je participe à ce débat du projet de loi 221, présenté par mon collègue de London-Fanshawe. Cela démontre aujourd'hui que notre député de London-Fanshawe est à l'écoute. Il est à l'écoute lorsqu'une commettante s'est approchée de lui pour lui parler de l'importance, pour nos aînés avec des faiblesses, vraiment, de temps à autre, de pouvoir continuer à conduire leur automobile. On nous dit qu'il est très important puisque de plus en plus les personnes à la retraite rendent un grand service dans une communauté. Lorsque je dis « rendent un grand service »: ce sont des personnes qui se déplacent pour aller faire du bénévolat. Ce sont des personnes qui se déplacent de plus en plus pour se rendre dans des endroits comme la YMCA pour faire des exercices. Puis aussi, on dépend beaucoup de ces personnes-là pour participer à des activités sociales. Je pourrais dire que dans mon cas moi-même, mon épouse a plus de 65 ans et, même si elle pèse seulement 95 livres, elle est au gym à tous les jours de la semaine. Si elle ne pouvait pas avoir son permis, elle ne pourrait plus se rendre au gymnase à tous les jours pour participer avec les équipes de dames qui y participent.

Mais il faut dire qu'en Ontario, 65 % de nos aînés ont un permis de conduire. Lorsqu'on dit 65 %, ça veut dire

que 35% ne détiennent pas un permis de conduire. Mais il faut toujours prendre en considération que dans ce 35 %-là, beaucoup de gens demeurent dans les secteurs urbains, où les transports en commun existent. Il faut se rappeler que dans le secteur rural, les transports en commun n'existent pas.

Je regardais : sur les 1 200 000 personnes en Ontario qui détiennent un permis de conduire, je dirais que lorsqu'on va procéder à l'acceptation de ce projet de loi-là, on pourrait dire que beaucoup d'autres personnes pourront bénéficier d'un permis de conduire.

Mais je vais vous apporter un exemple de deux personnes. Lorsque j'écoutais le député de Newmarket-Aurora, je dois dire qu'on devrait appuyer ce projet de loi-là. Si nous voulons revenir plus tard avec des points qui ont été soulevés, je suis d'accord avec lui. Je dois dire que dans ma circonscription—je vais vous donner l'exemple de Sylvain Dubois de St-Bernardin, en Ontario : la personne avait une faiblesse de sa vision, donc il voyageait en ATV. La police l'a arrêté parce qu'il prenait les routes de côté et ce n'était pas permis. La personne travaillait chez GM Ménard à St-Isidore. Il a fallu trouver un moyen de transport. Mais l'autre chose qui est survenu : son frère qui travaillait à Rockland, à 45 kilomètres de chez lui, n'avait pas le droit non plus, puis il avait 65 ans, de voyager avec un ATV. Donc, savez-vous de quelle façon il a poursuivi pour aller à son travail? Il voyageait avec un tracteur de ferme, 90 kilomètres par jour. Vous savez que nous avons le droit de conduire un tracteur sur les routes en Ontario. Mais on n'a pas le droit de voyager avec un ATV. Et puis là je dois dire à cette personne-là qu'elle mérite des félicitations, parce qu'ils devaient répondre.

Mais aujourd'hui on dit que lorsque ce projet de loi-là aura passé, on pourrait demander davantage, et puis la qualité de vie de ces personnes-là va augmenter. On dit toujours que si une personne se tient occupée, elle passera moins de temps dans les bureaux de médecin. C'est bel et bien vrai, cette position-là que beaucoup de gens prennent. Donc, on pourrait bénéficier de ces personnes-là qui sont à la retraite, et puis continuer à travailler vraiment et à faire du bénévolat dans les communautés lorsque ces personnes sont à l'extérieur.

Je vais soulever un autre point. Cette dame qui travaillait à une garderie à Casselman a eu une faiblesse. Elle travaillait alors comme aide seulement et puis, tout d'un coup, elle a eu un avertissement du médecin qu'elle ne pouvait plus conduire. J'ai rappelé le ministère puis je leur ai dit : « Bien, il faudrait regarder le médecin. On dit que le médecin a fait une erreur, et puis là on demande qu'on réinstalle ces permis de conduire ». Lorsque j'ai appelé au ministère, j'ai pris ça pour une farce, parce qu'on m'a dit : « Dans le transport rural, est-ce que vous avez encore des chevaux pour conduire, pour aller travailler? » Donc, je l'ai pris pour une farce.

1520

C'est pour vous démontrer qu'avec un permis spécial, cette personne-là aurait pu continuer à rendre un grand service dans la communauté, en se rendant au travail tous les matins. Donc, de plus en plus je dis que ce projet de

loi-là, il y a vraiment un crédit à donner à notre député de London-Fanshawe pour en avoir eu l'initiative.

Je dois dire aussi qu'il faut se rappeler que nos aînés sont les bâtisseurs de notre pays et de notre province, et ils ont dû faire beaucoup, beaucoup de sacrifices dans leur vie afin de nous donner la qualité de vie que nous vivons aujourd'hui. Donc, on doit faire de tout notre pouvoir afin de leur donner des droits dont ils peuvent vraiment bénéficier afin de rendre service à leur communauté, et leur dire : « Merci pour le bon travail que vous nous avez fait, et pour les sacrifices. Aujourd'hui, nous reconnaissons le travail que vous apportez à la communauté ».

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mario Sergio: I rise in support of the bill and compliment the member from London-Fanshawe.

In listening to the debate, I can sympathize with the member from Newmarket-Aurora. He brings a lot of experience to the table. But I have to say this: Unless we initiate something in this House, nothing is ever going to happen. So in whatever way this is going to be done, it is something where a lot of seniors in my area would be delighted to say, "Yes, I have no problem. I don't want to drive on highways, but I have my church five blocks down the street, and I can't walk, but I can drive. I would love to do that"—or take the wife to the doctor just around the corner, or to the dentist, or to do some local shopping. I have a lot of seniors in my area for whom this is the only thing they want to do—especially since a lot of seniors nowadays no longer have anyone to take them around. They have to look after themselves. I think it would be a wonderful thing if we could advance this proposal in the House and let the government know that it is required, that there is a need out there. We don't have to change the entire Ontario traffic act. The wonderful thing is, if the government and the minister want to do it, they can do it very quickly by a simple regulation. They don't have to create anything special or new. They just have to recognize the need and the will to do it; recognize that we have a lot of seniors out there who are still very lucid, very mobile—but 27% of seniors 65 and over have some mental or physical disability. What is wrong with saying, "If you qualify, if you pass the test, then yes, you can do some local driving"? They know their local area, their community, and I think we should afford them that possibility. We are not saying that we should rewrite the act and do something completely brand new.

I think it's important that the House send a message today to the government and the ministry and say that it's something that is needed, that we should be doing. On a regular basis, I have people who come into my office and say, "I am 82 years old. I've been driving for the last 45 years. I've never had an accident. I've never had any problems. But I have to go for a written test." These are people who never attained proficiency in English, and they are very emotional when it comes to that. So I hope we can push this through the House today.

I thank you for your time.

The Acting Speaker (Mr. Jim Wilson): Mr. Ramal, you have up to two minutes for your response.

Mr. Khalil Ramal: I want to thank the members who spoke on this bill: Newmarket–Aurora, Timmins–James Bay, Davenport, Glengarry–Prescott–Russell and York West.

I listened to all the debate. I respect what the member from Newmarket–Aurora mentioned, as he has a lot of expertise in this field.

Mrs. Krohn and the seniors in the province have a problem: We wouldn't extend, to all the people of various ages, conditions on when to drive and how to drive, in daytime or nighttime. I don't think so. That's why we opened the debate in this place.

In debate, we learn from each other. Hopefully, if this bill passes today, we can go to the committee and the committee will enhance it, as the member from James Bay mentioned many, many different times. It's important.

When I talk about 65, it's just because technically, when we talk about seniority—the people who want to go on a pension, they start at 65. That's why we have to have a benchmark, as the member from James Bay mentioned.

I believe strongly that all the people, all the members, all the seniors, all the total population of Ontario, want to have a chance to be mobile. Specifically we're talking today about seniors, because this segment of our society works very hard—comme mon ami le député de Glengarry–Prescott–Russell dit tout le temps—contributions by the seniors in this province, to make this province for us and to enjoy today. To give them the chance to live in dignity and independence, I think, is part of the small obligation we have to pay them in order to give them that chance.

With that, I want to thank all the members, whether they were speaking in support or against. Hopefully, the members who spoke against can change their minds, and hopefully this bill can go to committee and will be enhanced to serve all the people of Ontario.

The Acting Speaker (Mr. Jim Wilson): The time for this ballot item has expired. We'll vote on the member for London–Fanshawe's item in about 50 minutes.

FIRE PROTECTION
AND PREVENTION
AMENDMENT ACT (FIRE SPRINKLER
RETROFITTING), 2009

LOI DE 2009 MODIFIANT
LA LOI SUR LA PRÉVENTION
ET LA PROTECTION CONTRE L'INCENDIE
(INSTALLATION RÉTROACTIVE
D'EXTINCTEURS AUTOMATIQUES)

Mr. Sergio moved second reading of the following bill:

Bill 214, An Act to amend the Fire Protection and Prevention Act, 1997 with respect to fire sprinkler retrofitting / Projet de loi 214, Loi modifiant la Loi de

1997 sur la prévention et la protection contre l'incendie à l'égard de l'installation rétroactive d'extincteurs automatiques.

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has up to 12 minutes for his presentation.

Mr. Mario Sergio: I'm delighted to initiate the debate on Bill 214, which is a bill to amend the Ontario Fire Protection and Prevention Act, requiring the retrofitting of care occupancies built prior to 1998 and to comply within five years from the date of approval.

I have representation from every corner of the province of Ontario today from our fire departments—too many to mention, but I'd like to acknowledge them. It's a wonderful thing to have them; it's never too many. I'd like to acknowledge the presence of the president of the Ontario fire chiefs, Richard Boyes; Deputy Chief Jim Jessop; Chief Brian Maltby from the Brampton fire department; Chief Steve Hernen from the Huntsville fire department; Chief Ralph Dominelli from the Orillia fire department; Deputy Chief Frank Lamie from the Toronto fire department; Chief Tim Bond; Chief Lee Smith; President Bill Burns from the Fire Fighters Association of Ontario; Ms. Susan Eng, the vice-president of CARP—thank you for coming; Greg Mitchell, business manager, Local 853 of the Sprinkler Fitters Ontario; Dale Hawrychuk, also from Local 853, Sprinkler Fitters Ontario, as business agent; George Downs, business agent with Local 853; John Galt from the Canadian Automatic Sprinkler Association; Gord White from ORCA; and practically every representative from the Ontario fire prevention officers association.

Applause.

Mr. Mario Sergio: Thank you. Thanks for coming. I didn't want to finish my 10 minutes, but they all deserve to be recognized and applauded.

1530

The intent of the bill is to bring some fairness to the situation with respect to care occupancies. The bill calls for providing a safe situation by retrofitting homes built prior to 1998 and bringing them into compliance with those built after 1998, which the government mandated. At the moment, we have a two-tier system of care occupancy, one with fire sprinklers and one without. I think it would be very fair to provide the necessary safety and peace of mind to our seniors in those types of accommodations.

Sprinklers do not go off accidentally; only by a fire and directly above its source. They are safe. Only one in 16 million shows a form of defect. We have more than 400 jurisdictions in North America where sprinklers have been approved and are required. Ontario, on a comprehensive basis, is unfortunately not one of those jurisdictions.

Fire sprinklers provide early warning and receive quick action and reaction to an alarm call. A study by the Office of the Ontario Fire Marshal indicated that 43% of smoke detectors didn't work. In a lot of cases, fire sprinklers may extinguish a fire prior to the fire people

arriving on-site. Fire sprinklers do not require any advance notice. They may come day or night—sometimes when it's already too late.

Sprinklers sit very inconspicuously in a very particular place. They don't bother anybody. They are there, waiting for a fire, if and when it starts. It is better to have them and not need them than to need them and not have them.

Someone says that they do cost money. I wish I could say they don't cost any money; the province is going to look after it. I think it would be very nice indeed if the province would pick up the pace and say, "We have to recognize the importance, we have to recognize the inequity that exists and we are going to do something about it." In whatever form, in whatever way, governments, when there is a will, always find a way—even if PST is joined with GST, or if we cut off some of those wonderful consultants, we could use some of that money to provide safety for those seniors.

With respect to the cost, let me say that we have to think of the cost in lives lost. Last January, at the Muskoka Heights retirement home in Orillia, a fire claimed the lives of four seniors. Many others were hurt and traumatized, and some were dislodged for several months. The cost was \$825,000 in damages; the building was gutted. The cost to retrofit it was estimated at \$41,250.

At Sunnybrook Health Sciences Centre, a fire took three lives. At Meadowcroft home for the aged, a fire claimed eight lives. At Extendicare in Mississauga, a fire claimed 21 lives. At the Huntsville Rowanwood Retirement Residence, 56 residents were displaced, \$5 million in damages; the cost to retrofit, merely \$120,000. At Cavendish Manor, a fire displaced 89 seniors for months. The cost of damage was over \$500,000; the building was gutted. The cost of retrofitting was estimated at \$280,000.

Since 1980, three coroners' jury inquests have recommended the installation of sprinklers in all facilities built prior to 1998. I think it's about time that we take heed. I'm part of this government and, with all due respect, I would like to say that every day whenever I have the occasion, I will not let it go by to call on my own government and say, "The time has come. This is something we have to address. Something has to be done. Those seniors deserve the attention, to be recognized and given what they deserve."

It's not only for them. Every fireman that is here today and the forces out there are looking not only after our people; they are looking after our family.

When I saw a video called Phoenix Ladder 27, I couldn't be more impressed when I saw firefighters on the roof trying to get to the inside of the house. The roof collapsed and the fireman dropped right in the middle of a fire. So it's not only our seniors; it is those that we have on a daily basis, day in and day out, day and night, trying to look after our family, our neighbourhoods and our seniors as well.

In a recent study, the American Community Survey also shows that those occupants are mostly seniors 65

and over. As I was saying before, 27% of them have some sort of physical or mental disability. It's very difficult to move those seniors very quickly out of a building. As I said before, someone many eons ago said, "Be ready, because you never know when I come, and when I do come, I'll come as a thief," and fire is something like that. They don't have to warn us. They don't have to warn the seniors. If it happens on a weekend or at night-time, the difficulty increases because that is the time when most of those facilities have less people around, less staff around, therefore it becomes more difficult to provide assistance and move those people out on a quick basis.

As I said before, it is unfair that we continue to have a two-tier system of care occupancy. We have some 577 long-term-care facilities—77,000 residents in those particular homes alone, but there are others. I think it's fair to say that if the government were to take the issue very seriously—and it should, and I'll make sure it does—at every chance I get, I will remind my own government that it's our responsibility and to fulfill the responsibility towards our seniors to look at the needs of our senior population.

Costs can be alleviated in many, many ways, but first of all, before we get to the cost of retrofitting these homes, we have to think of not only the lives lost, which is totally unacceptable; we have to think of displacing so many seniors. And what about the families? I think it's a concern all around.

I call on the members of the House to move this along and I hope that this will serve as a very strong message to the government saying that we have to recognize that we have a problem. We cannot continue to have a two-tiered system for seniors in our province. We should be taking a lead. We have taken the lead in our province in many, many ways. We have done, as a government, many wonderful things, and many wonderful things for our seniors. I would hate to see that my own government would let hundreds of thousands of seniors down because, if you will, of cost.

I think the House today should send a good message to our government and say, "We have a problem and we want you to address it." The supporters that you see here today are saying the same thing. They are sending the same message. It's time that we address the problem. Three coroners' inquests: They called for the same thing years ago. This government hasn't done it so far. Previous governments didn't do it either. Does it mean that we should lie back and not call for any action? No. I think it would be wonderful if today our government would recognize those calls and think about those people who lost their lives and listen to the call of our fire people here today and say, "We have to address it. We can't go on. It isn't fair. Our seniors deserve it. Let's give it to them."

I thank you, Speaker, for your time today.

1540

The Acting Speaker (Mr. Jim Wilson): Further debate.

Mr. Frank Klees: I'm pleased to rise in support of the bill before the House. The member from York West has brought a matter to the House that, as he so rightly but diplomatically puts it, I might say—of course, he has to as a member of the government caucus—has been ignored, and ignored by successive governments. I don't hold the government that I was a member of in any way innocent here.

But what concerns me is that after, as the member indicated, a number of coroners' reports, the response of the current Minister of Community Safety and Correctional Services, Rick Bartolucci, was to direct a study of the matter. I don't think we need any more studies. I think what we have are some very glaring examples of what can happen.

We have, over the last number of years, had a number of very tragic circumstances. I go back to 1980, when 25 residents lost their lives at the Extendicare nursing home; 1989, at the Ottawa Centre nursing home, where three residents lost their lives; in 1989, at the Nepean Extendicare Starwood nursing home—there were two residents who lost their lives there; in 1995, at the Mississauga Meadowcroft Place nursing home, eight residents lost their lives; in 1997, at Sunnybrook Health Sciences Centre—three dead; in 2008, in Huntsville, at the Rowanwood Retirement Residence—56 homeless. Thank God, there were no injuries or fatalities. The building was totally destroyed. When we talk about the cost of not acting on these, I think this is an excellent example of where we have to have some long-term thinking. Of course, the most recent circumstance was at Orillia's Muskoka Heights Retirement Residence, where there were four residents who lost their lives, with four in critical condition.

I just want to refer to an article that appeared in the October 13 edition of the *Globe and Mail*. Christie Blatchford reported on this and she quoted Oakville Fire Chief Richard Boyes, who is also president of the Ontario Association of Fire Chiefs. And I want to take the opportunity to welcome members of our fire services from across Ontario to the House today, and to say, on my behalf and certainly on behalf, I'm sure, of all members of this Legislature, that we thank you for the work that you do every day. We also thank you for your show of support here. I can tell you that it's one thing for a member to bring forward a piece of legislation; it's yet another thing to have the turnout from leaders within our province who understand this very well. Your being here is a much stronger message than anything we could say from the floor of the Legislature today. So thank you for your presence here today.

I refer back to Fire Chief Boyes's comments in this article. I commend him for challenging the government as he has. I want to just quote what he said: "What you have to look at is that the province has passed a number of other public safety laws.... What makes this so much different? Why not pass one more law? The political will doesn't seem to be there, because it's the right thing to do."

I think it goes to the heart of what makes governments take action under some circumstances and delay under others. This issue that we have before us here should not take any lobbying. The evidence is so clear. We have the recommendations from the professionals right across this province who experience the dangers of not having this protection. On behalf of the PC caucus, I want to encourage the government to not only consider this an important issue, but that they act.

My colleague made reference, in his introduction of the bill, to the cost, and obviously that is a matter of discussion. There is an issue that we have to consider with every piece of legislation that comes before us, and that is the practical implications of that legislation. Clearly, there will be a cost to this. It's for that reason that I would ask the government—and my support for this bill is correlated with my appeal to the government to also step forward and make it possible for the funding to be accessed for these care facilities to implement these systems that are being mandated by the proposed bill. When we consider the long-term cost of the tragedy, then this becomes a non-issue for the government.

I have a concern that we in this place continue to pass regulation after regulation and law after law without any consideration for the people who actually have to foot the bill to implement what we have mandated. It is easy in here to simply stand in our place and vote for something and then we pass it on. We say, "Craft this up as a bill," and then we issue the regulation and we wash our hands. I believe that in this case particularly we have a responsibility—the government has a responsibility—not just to wash our hands but to actually put in place a mechanism for funding that will allow this regulation to be implemented in the way that it should.

I know it's difficult for my honourable colleague to be very strong, if I can put it that way, in being a member of the government, but I would encourage him to rely on some of his colleagues in the official opposition to put the pressure on when it comes to funding because we have no hesitation in holding ministers to account. That's our job. In fact, Her Majesty expects that of us, so we're doing that.

I want to commend my colleague for bringing this forward. I want to commit to him that not only will we support him here; we'll support the bill in committee and we will support him in his efforts to convince the government not only that this is the right thing to do but that there should also be the appropriate funding mechanism in place to ensure that it gets implemented without delay.

With that, I defer the rest of my time to my colleagues and look forward to a celebration on the day the government accepts this bill and announces the appropriate funding for its implementation.

The Acting Speaker (Mr. Jim Wilson): I just want to stop the clock for a moment because I too want to welcome Chief Richard Boyes here to Queen's Park. My parents and his were the best of friends all of their lives. They're all now deceased. Richard's father, before I was

born, was chief of the Alliston fire department. Maybe some day, if I keep doing this, Richard will get out of Oakville and come back to Alliston and retire. Welcome to Queen's Park.

Further debate? Start the clock.

Mr. Gilles Bisson: I know that my good friend Mr. Miller from Hamilton East—

Mr. Paul Miller: Stoney Creek.

Mr. Gilles Bisson: Stoney Creek; sorry. I've told you, I never could remember the names of the ridings around this place. I've been here for 20 years; what is it?

Anyway, I know that he wants to speak to this and will bring a perspective that would be a bit different from mine. He sat on municipal council and sees this also from the perspective of what it means for local municipalities.

First of all, up front, I want to congratulate the member for bringing this forward. I think this is, as we say in the business, a no-brainer. This is something that is basic.

We know what happened. At one point the laws or the regulations were changed to make sure that from a certain date—what was the date, 1996 or 1986?

1550

Mr. Ernie Hardeman: It was 1986.

Mr. Gilles Bisson: Was it 1986? Whatever the date was, don't quote me, but all homes for the aged had to have sprinkler systems installed in new construction. But we never dealt with the previously constructed stock that's out there. The member is trying to undo what has been a problem for some time. I'm not going to list the names of the institutions, but there are a number of cases where fires have happened, and in some cases where sprinklers were not installed, lives were unfortunately lost and people were injured. So clearly, we're trying to do what is the right thing.

I want to pick up on something that was said by both members so far: It's one thing to pass this bill, but it's quite another thing to make it happen. Far too often, one of the things we do around this place is pass well-intentioned legislation and then governments sort of sit on it for a while. The bill in fact gets passed—gets third reading—and gets proclaimed, but then it's never enacted. I think your first challenge is going to be to make sure the government actually does enact it. I think that in the end it won't be just a question of the bill; it's going to be a question of also changing some of the regulations that govern this particular issue. That's really going to be the challenge. It's one thing to get the vote; it's going to be quite the other thing to get government to want to move forward on it.

I want to say that frankly that is a pox on all our houses, because we've all been in government at one particular time with this particular issue. I guess we've all had an opportunity to look at this, and for various reasons it's not been done.

I want to say to the member, you have quite a challenge ahead of you. I recognize, as you do, that this is a cost item. For that reason, government will look at not doing this quickly, because they recognize that as

soon as they enact this legislation and the regulations are changed, what's the first thing the home for the aged or other facility is going to say? "Where's the beef? It's fine that you passed this law, but how am I going to pay for this?" I'm going to see a whole bunch of people who run institutions knocking at the door, saying, "I need some help."

That's what the government worries about. They know they're going to have to do something; maybe not pay 100% of it, but they're going to have to pay for some of the cost of actually doing the retrofit. So the challenge the member is going to have, really, will be to overcome those two hurdles: to make sure that the bill gets enacted and that there's some kind of commitment and recognition from the government that it's going to cost some money.

As the member said, this is money well spent. We have learned over the years that a fire sprinkling system is a very effective way to try to suppress a fire early on. We know it is effective, we know it saves lives and we know it prevents additional damage that would otherwise happen to property. I want to say to the government that we will support this. I look forward to the discussions we will have on this particular issue in committee.

The member says he's going to come to the Legislature every day and try to keep this issue alive and keep the feet of the government to the fire. I look forward to question periods. I look forward to the tough questions that I think will have to be asked of the government, because I think he recognizes, as I do, that it's going to take a fair amount of intensive prodding in order to move this forward.

I think the member well understands that it's not just having a chat with the minister and raising it in private; there's also going to have to be some public scrutiny to this thing, and question period, press conferences and other means to put on some public pressure are some of the things that I think the member has to be prepared to do—and understand he is going to need to do—in order to do this.

If he's looking for help in that fight, I, along with my good friend Michael Prue and, I would imagine, Mr. Miller and others don't have a problem helping with that issue and raising that issue ourselves. But it's also going to take some questions from the government side of the House, and I'm not talking about "Mr. Minister, you know this is a great thing and it's wonderful and how can you inform me" types of questions, but the type of question that actually raises the question: "When can we expect action from this government on this particular issue?" I want to say to you that I will support you in that and, if need be, even join the fray.

I want to end on the last point, and that is the issue of coroners' inquests. The member is quite right. First of all, fortunately, there have been a number of coroners' inquests that have made these recommendations. When tragedies happen, we hope that we learn from those tragedies, and that's why we have coroners' inquests in the first place. The real problem is that often these

recommendations are put forward and fall on deaf ears. I think that brings us to a point: If we're going to have coroners' inquests that bring forward recommendations such as these, there needs to be some sort of mechanism that allows us to have some confidence that what is being recommended by the inquest is actually acted upon. Because it's quite one thing to make the recommendation, and it's quite the other thing to make it happen.

I want to end on that note, and I know my good friend Mr. Miller would like to have a few words on this as well.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mrs. Linda Jeffrey: I'm pleased to speak in support of Bill 214, An Act to amend the Fire Protection and Prevention Act, 1997 with respect to fire sprinkler retrofitting, put forward by my colleague from the riding of York West.

As many of my colleagues know, I've been attempting to raise the issue of fire safety awareness and the benefits of residential fire sprinkler systems since 2003 when I was first elected as a member of provincial Parliament. With the assistance of firefighters across this province, I've spearheaded three separate attempts to change Ontario's laws to mandate sprinkler systems in all new residential construction using private member's legislation. For more than two decades, as has been mentioned earlier, a dozen coroners' juries and inquests have all recommended changes to the Ontario building code to include residential sprinklers.

I was very pleased, therefore, when the Premier recently announced that our government was going to amend the building code to require new multi-resident-unit residential buildings over three storeys to have sprinkler systems as of 2010. That's a wonderful first step.

Prior to my election as an MPP, I worked as a municipal councillor for 12 years, and one of my responsibilities during that time was to get group homes, boarding, lodging and rooming home operators to voluntarily comply with the Ontario fire code—no easy task. The city of Brampton, like many communities across Ontario, licenses these facilities, and a condition of their licence is an inspection by the fire department. Some of the homes had difficulty complying with the Ontario fire code, largely due to the age and the physical configuration of the home. Our fire and emergency officials recommended to many of those operators that residential sprinkler systems be installed.

Today I'm going to tell you two stories, both of which happened in Brampton. These incidents give me faith that we're on the right track.

In July 2008, a fire broke out in a three-storey, century-old home that was being used as a supportive lodging house, a facility that would have been on my radar when I was on council. Nineteen tenants lived in Genesis Lodge, many of whom suffer with mental illnesses and physical limitations. The fire originated in a mattress in the front bedroom on the second storey and

was set by a disgruntled and disturbed tenant who was asked to vacate the residence earlier that day. Some 10 years earlier, the owner of that supportive lodging home had been given some very wise advice by a firefighter I know. He told them to install residential fire sprinklers.

The sprinkler system was activated in the bedroom. Firefighters arriving on the scene needed only to remove the smouldering mattress from the room, so it resulted in very minimal fire damage. Had the sprinklers not been installed, the outcome that July day would have been significantly different. Not only were all 19 residents, three staff and a cat evacuated safely, but the property itself was saved and returned to service two days after that fire. It is interesting to note that it's estimated that less than 30 litres of water were used to control the fire in the mattress.

The next incident happened only a couple of months ago in November 2009. A fire started at 1 a.m. in a dryer located in a home's basement. The Kennedy Road and Vodden Street area house is an assisted living home, with four people living upstairs and three residing downstairs. The property owners chose to install a sprinkler system back in 1998 and the fire in the Reigate Avenue home had been extinguished by the time the fire crews arrived early that Saturday morning. A fire left unchecked can move quickly, causing considerable damage and increasing the potential threat to life. Water damage caused by high-pressure fire hoses used to bring a blaze under control can be very costly for homeowners. In this case, the damage was negligible and the residents were back in their home three days later.

This is in sharp contrast to the two other house fires which were investigated the previous weekend in my community, one of which was also believed to have started in a basement clothes dryer. Victims in these cases were left with hundreds of thousands of dollars in damages, and it will be months before the homes are fit to be lived in.

These incidents are a testament to the benefits of residential fire sprinkler systems, and a decision to invest in a sprinkler system based on the advice of a Brampton firefighter to protect the residents and the staff was paid in full those two days. It's a clear example to me of how effective an automatic fire sprinkler system can be.

1600

In closing, I want to further emphasize how important I believe sprinkler systems are. There are too many Ontarians, both civilian and firefighters, who are losing their lives in preventable fires.

I believe so strongly in residential fire sprinklers that I've become evangelical, if you want to describe it. I feel like Victor Kiam, the spokesperson for Remington shavers, who said, "I believed so strongly in the company that I bought it." Well, I believe so strongly in residential fire sprinklers that I am having them retrofitted in my own home. I'm getting the costing right now. It's going to be messy. It's going to be awkward in an older home, but I believe strongly that there's no price you can put on the value of loved ones, somebody that you care about.

It's too important. I will be making this happen, and I expect to have it the next time I speak in this House about residential sprinklers. I'm happy to support the local member.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Ernie Hardeman: I too rise in support of Bill 214, and I want to commend the member from York West for bringing it forward.

I was sitting here and listening to the member from Brampton–Springdale and her efforts as it relates to getting sprinklers in residential units, and I want to commend her for all the work that she has done three times with a private member's bill. I think it points out the challenge that even though you get a private member's bill and you get unanimous support in the House, that doesn't quite make it so. It doesn't necessarily get called for third reading or get implemented for third reading. I want to commend her. I think also that it points out, as she mentioned, that the Premier announced that he was going to take steps toward achieving the goals that were in her bill.

I think that's part of the other reason for having these debates in private members' business. The bill may never get passed but, in fact, the idea is there, and if it's a good idea and if it's supported by all, hopefully we can see government move forward on that issue. I would hope that in this case, with the support we see in the gallery today and the support that we are hearing on the floor of this Legislature today, that that's what will happen with this.

Exactly a year ago we had a tragedy in my riding and, in fact, we brought forward a bill to make it mandatory to have carbon monoxide detectors in every home in the province of Ontario. That bill, too, was passed unanimously in this House at second reading, but it is still waiting to be dealt with at committee. I just want to point out again that even though the bill has not been passed, it has done a tremendous job of getting the public message out there for people to get a carbon monoxide detector to prevent that silent killer from getting them and their family.

I just wanted to point out to the member from Brampton–Springdale that it took three bills and a considerable length of time since the third one for the member to finally get around to doing her own home. I want to say that I did mine immediately. Prior to introducing the bill in this Legislature, I went and got two carbon monoxide detectors for my home to protect my family.

But I do want to say that it does bring it to our attention that this needs doing, and that's why I commend the member from York West for bringing it forward. I thank you for bringing it forward. I will be supporting it, and I hope that this message today will get out to the public, that all these homes have this protection to save lives, as we've heard before.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Paul Miller: First of all, I'd like to welcome the fire prevention officers and the fire chiefs from all over Ontario, and a special welcome to our chief in Hamilton, Jim Kay, from Sophia Aggelonitis and myself.

I'd like to start off by saying that we are supportive of this bill. Having called for the mandatory regulation of retirement homes to be equipped with sprinklers, this is a long time overdue. This is a good step, but we are concerned that it will not go far enough because it does not deal with many of the other issues arising due to the lack of regulation in retirement homes.

I'm even more concerned that the private member's bill will fall to the same fate as so many other excellent ones have and never move past today. For example, Linda Jeffrey's Bill 72 regarding municipal fire sprinklers easily passed second reading and it died there, in spite of the need for action.

We need to bring broad changes to the retirement homes sector, and need a full regulation of these facilities. This bill is one step in that process.

There's a clear need for this bill. Examples: In April 2008, through the quick and efficient actions of retirement home staff and a stroke of extremely good luck, all residents of the Rowanwood retirement residence in Huntsville escaped injury in a horrific fire that completely destroyed that home. In 1995, eight seniors died because of a fire in their retirement home in Mississauga. In January of this year, two seniors died in a retirement home fire in Orillia. Inquests following all of these fires pointed to automatic fire sprinklers—they may have prevented the tragedies that occurred.

Some of the concerns with the bill: New Democrats have long called for regulation of retirement homes. These facilities are increasingly being treated as health care facilities, yet lack the regulation that would ensure they meet the standards we expect for facilities providing care. Seniors who live in retirement homes need to be protected. If retirement homes were regulated, this would become a non-issue, as the LTC facilities have mandatory fire sprinklers.

Let us not forget that there is much work that the government needs to do to protect seniors.

The letter from CARP is another example in support of this bill.

Other issues impacting firefighters: mandatory retirement, Ontario labour board, fire responder status. When the firefighters were at Queen's Park yesterday, they were lobbying for other important changes; information on these can be found in the attached sheets.

Fire kills nearly 100 Ontarians each and every year, and it injures many more, the overwhelming number at home. Despite mandatory smoke alarms and improved building construction, there has not been a substantial reduction in the number over the last decade. The cost to the Ontario economy in relation to health care expenses, property loss and personal impact is in the hundreds of millions of dollars. Smoke alarms are simply not enough.

The age group of 65-plus constitutes 25% to 30% of fire fatalities in Ontario every year. This demographic

has more difficulty hearing working smoke alarms; as well, their reaction time is likely much slower. The installation of sprinklers in retirement homes would be one step in the right direction.

The NDP has been moving forward on important issues relating to fire safety in Ontario for years. Example: Michael Prue's private member's bill, Bill 14, on wooden fire escapes finally passed committee clause-by-clause yesterday. This is the second time that essentially the same bill made it to committee. Ms. Jeffrey's bill was concerned with new buildings; that all new buildings in Ontario should have mandatory sprinkler systems like they do in BC. Mr. Prue's bill was concerned with old buildings and eliminating wooden fire escapes. Both of these were, and are, sensible changes that are supported by Ontario's firefighters and chiefs. The government must show that they are prepared to take the steps necessary to allow these types of bills to become law and not just die either waiting for committee approval or waiting for third reading.

There has been a lot of work done in this Legislature to support the work of firefighters in our province. New Democrats fought for a long time to ensure that volunteer firefighters—and let's not forget that the majority of communities in Ontario are staffed by volunteers—are given equal coverage for health and safety issues.

We have fought to ensure that fire prevention is of the utmost priority. This is yet another step.

The government side may argue that this bill is not needed because as of April 1, 2010, fire sprinklers will be mandatory in all high-rise buildings in Ontario, and this would include retirement homes. But today we have an opportunity to protect residents in older buildings now.

In closing, I believe this is a very important bill that has been brought forward and discussed many times in this House. It's time to stop stalling. It's time to push it through third reading, it's time to make it law, and also help our chiefs and firefighters in this province do an even better job than they do now. They do a magnificent job protecting the people of this province. I'm proud that they're here today, and I'm proud of the service they do in our province. Thank you, gentlemen.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: First, I want to thank the member from York West for bringing such an important issue to this House. It has been mentioned by many different members. I know the member from Oxford has spoken passionately about it. He has a similar issue in his town. Also, the member from Brampton-Springdale has brought this issue to this place many times and has held many different events in this regard. The member from Beaches-East York, as has been mentioned, is passionate about it, too.

1610

The member from York West today brings such an important issue for us. There is great evidence. All the fire chiefs from across the province came today to witness this debate. I think everybody is in support.

Everyone spoke in support of this initiative because it's important. It's about safety for the people of Ontario, safety for many people who live in long-term-care facilities, nursing homes, retirement homes, halfway housing and many different dwellings which we know are subject to danger if we don't provide them with the support they need. That's why the member from York West today brought this issue to the House.

Hopefully this bill will pass and go to the committee and then will be cleaned up in the committee and become a strong bill to serve the people of Ontario, because all of us were elected in this place to create safety mechanisms for all the people who live in Ontario.

I spoke about cost and about accountability, spoke about initiatives, how it's going to be implemented and if the government is going to take it and support it. It's a great indication. The member from York West represents the government of Ontario. He's a wonderful member of our caucus, and I think he has a great passion about this issue. That's why he brought it to our attention today and opened it up for us and gave us a chance to debate it.

I'm going to support it myself because it's a very important issue. Because I worked with group homes before, I have a great connection with nursing homes and retirement homes in my city of London, especially in my riding, London-Fanshawe. I spoke many different times with the CEOs and managers of those homes. Those are very important things for them and very concerning for them: how they can evacuate their residents if some fires happen in their places.

As I mentioned, I used to work in Woodstock's Oxford Regional Centre as a counsellor with mentally challenged individuals, so it was a main concern for us. We used to go through a lot of training on a regular basis to make sure to evacuate all the residents in good time, in the right time, and eliminate casualties and death. That's why I think if you have a sprinkler, according to all the statistics, you reduce the chance of death by a great number. I think the fire chiefs from across the province, all the firefighters who came, had a good reception yesterday to educate us on the job they do on a daily basis, and you guys came here today to witness this debate. It's important to you and important to us, because the most important thing to all of us in this place is the safety of the people of Ontario.

I'm going to leave a few minutes to my colleague from Eglinton-Lawrence to comment on this bill too.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mike Colle: Just briefly, I want to say that I had the good fortune over the years to work with Bernie Moyle, who was my fire chief when I was a city councillor a long, long time ago. He did a lot of great work in this area as Ontario's Chief Fire Marshal and certainly taught me a lot about the importance of prevention.

I think the member from York West has hit upon something that is of urgency, and I think he has given us a pretty good impetus to move forward with this. Like all

private members' bills, what it takes is, as members of the Legislature and stakeholders, we have to support his efforts. He can't do it by himself. Over the years I've been in opposition and on the government side, I've had the good fortune to see six of my private member's bills become law. I guess the one I'm most proud of is the red-light camera legislation. It took me about five years of work to educate people about the importance of having red-light cameras at high-collision intersections, but now they're all over the province of Ontario. That started as a private member's bill, but again, I got help from a lot of police officers, Chief McCormack at the time, and others, and we educated people. Now they're used to save lives.

This is an initiative to save lives, and I think we have to get the insurance companies on board to start promoting this, because in the long run, the insurance companies should be giving deductions in premiums to the facilities that install these sprinklers or, rather, to these individuals, like the member from Brampton West.

Also, in terms of tax credits given for home renovations, why not tax credits from the federal or provincial governments for these kinds of initiatives? What could be more important than to encourage people to save their loved ones from these kinds of situations? This is where this bill needs some support to make it a reality so that it will finally be implemented, because the cost of not doing it is incredibly higher than the cost of these preventive measures.

Let's support this bill. I think it is something that will be looked upon as a thoughtful and a necessary initiative, which many seniors, especially, who can't advocate for themselves will deeply appreciate. It is a bill that deserves all of our support.

The Acting Speaker (Mr. Jim Wilson): Thank you. Mr. Sergio, you have up to two minutes for your response.

Mr. Mario Sergio: Thank you very much to the members from Eglinton–Lawrence, Hamilton East–Stoney Creek, Oxford, London–Fanshawe, Brampton–Springdale, Timmins–James Bay and Newmarket–Aurora. Thank you all for your kind and welcome comments.

I want to add one thing, and I'll take the liberty of doing it now. Someone, during the various conversations, brought up the fact that, if approved, this may have an effect on the number of firemen in Ontario. This is not an issue, because the moment the alarm goes off, our forces have to leave their stations, they have to be on the job, and they never know if there's a small fire or a big fire. So this is not an issue.

With respect to cost, let us just take a look at all the homes, all the facilities that were built after 1998, which means they were built with sprinklers. Someone, somehow, had to pay for those sprinklers, so that's not an issue today.

By 2021, one quarter of our population is going to be 65 and over. I think that's a concern that we have to be aware of.

I think today belongs not only to our seniors in Ontario, it belongs to the fire forces, from all the corners

of our province, who recognize the importance and the need. I think we have to dedicate today to them for the support that they have shown with respect to this bill.

I have to say to my friend from Timmins–James Bay, we are not alone in this battle. We have their support, and the support of all the hundreds of thousands of seniors in the province and the various organizations. When it comes to questions—you had questioned that side; I will worry about this side.

I thank you all for your support. Thank you all for being here.

The Acting Speaker (Mr. Jim Wilson): The time for private members' public business has not completely expired. It expires in about four minutes. The chair has no choice under the standing orders but to suspend the House for four minutes.

The House suspended proceedings from 1617 to 1618.

The Acting Speaker (Mr. Jim Wilson): The time for private members' public business has basically expired—because I think we all want to go home at some point.

Call in the members. This will be a five-minute bell.

Interjection.

The Acting Speaker (Mr. Jim Wilson): Yes, all right. Let's just vote.

HISPANIC COMMUNITY

The Acting Speaker (Mr. Jim Wilson): We will first deal with ballot item number 52, standing in the name of Mr. Ruprecht.

Mr. Ruprecht has moved private member's notice of motion number 123. Is it the pleasure of the House that the motion carry? I declare the motion carried.

Motion agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT (SENIOR DRIVER'S CONDITIONAL LICENCE), 2009

LOI DE 2009 MODIFIANT LE CODE DE LA ROUTE (PERMIS DE CONDUIRE RESTREINT POUR PERSONNE ÂGÉE)

The Acting Speaker (Mr. Jim Wilson): We will now deal with ballot item number 53.

Mr. Ramal has moved second reading of Bill 221, An Act to amend the Highway Traffic Act to create an optional conditional driver's licence for seniors.

Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Mr. Ramal?

Mr. Khalil Ramal: I just want to refer the bill to the Standing Committee on the Legislative Assembly.

The Acting Speaker (Mr. Jim Wilson): Is it the pleasure of the House that the bill be referred to the Standing Committee on the Legislative Assembly? Agreed? So ordered.

FIRE PROTECTION
AND PREVENTION
AMENDMENT ACT (FIRE SPRINKLER
RETROFITTING), 2009

LOI DE 2009 MODIFIANT
LA LOI SUR LA PRÉVENTION
ET LA PROTECTION CONTRE L'INCENDIE
(INSTALLATION RÉTROACTIVE
D'EXTINCTEURS AUTOMATIQUES)

The Acting Speaker (Mr. Jim Wilson): We will now deal with ballot item 54.

Mr. Sergio has moved second reading of Bill 214, An Act to amend the Fire Protection and Prevention Act, 1997, with respect to fire sprinkler retrofitting.

Is it the pleasure of the House that the motion carry? So carried.

Second reading agreed to.

Mr. Mario Sergio: To the Standing Committee on General Government, Speaker.

The Acting Speaker (Mr. Jim Wilson): Is it agreed that the bill be referred to the general government committee? So ordered.

ORDERS OF THE DAY

TIME ALLOCATION

Resuming the debate adjourned on December 2, 2009, on the motion for allocation of time on Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Mike Colle: I just think, as you know, Mr. Speaker—you're very close in your riding—this is a longstanding dispute between Barrie and the township of Innisfil, and there has been an attempt to come to a resolution here. There are obviously two different perspectives in terms of what Barrie is going through as one of the fastest-growing cities—I think it's the first- or second-fastest-growing city in Canada. It is caught

dealing with its growth, and the growth is quite incredible.

I'm sure you recall, as I do, the bus station right by the lake there in Barrie. That's all there was to Barrie in those days: essentially, neat little homes in a very tranquil community. But Barrie's population, if I'm not mistaken, is now over 300,000, and it's almost impossible to recognize Barrie when you go through, compared to what it was.

The growth of Barrie, the need to continue to create economic development opportunities and efforts to ensure that there are enough future employment opportunities in Barrie to maintain the tax base have necessitated this adjustment of the boundary. I know the minister has been involved—and this started way before Minister Watson. I think when you were in government, Mr. Speaker, there were discussions about this going on even back then. So there is an attempt to try and come to some kind of reasonable compromise on this. I know it's impossible to keep both sides happy, as Innisfil's needs and perspectives in terms of trying to ensure they keep their town in a more compact form are something that has been in conflict with what Barrie had to do.

Anyway, we're attempting here to do something to remedy this situation. This is an attempt to resolve it so there is progress in this area in accommodating the needs of that beautiful part of Ontario. I just hope that we can proceed and do the best we can in adjusting this contentious situation with this initiative.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Seeing no further debate, Mr. Watson has moved government notice of motion 167. Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

The Acting Speaker (Mr. Jim Wilson): Orders of the day.

Hon. Brad Duguid: I move adjournment of the House.

The Acting Speaker (Mr. Jim Wilson): Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until next Monday at 10:30 a.m.

The House adjourned at 1625.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Halldimand–Norfolk	
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Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough–Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
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Broten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

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Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB)	St. Paul's	
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Consumer Services / Ministre des Services aux consommateurs
McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
		Government House Leader / Leader parlementaire du gouvernement
Smitherman, George (LIB)	Toronto Centre / Toronto-Centre	
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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Robert Bailey, Gilles Bisson
Jim Brownell, Kim Craitor
Bob Delaney, Garfield Dunlop
Phil McNeely, John O'Toole
Khalil Ramal
Clerks / Greffiers: William Short (pro tem.), Sylwia Przewdziecki

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David Orazietti, Joyce Savoline
John Yakabuski
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Howard Hampton, Ernie Hardeman
Rick Johnson, Lisa MacLeod
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Jim Wilson
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Bas Balkissoon, Mike Colle
Kim Craitor, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Tony Ruprecht
Mario Sergio
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Cheri DiNovo, Linda Jeffrey
Sylvia Jones, Jean-Marc Lalonde
Carol Mitchell, Shafiq Qadri
Elizabeth Witmer
Committee Clerk / Greffier: Katch Koch

**Select Committee on Mental Health and Addictions / Comité
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Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Hon. Laurel C. Broten.....	9041
Mr. Khalil Ramal	9041
Mr. Tony Ruprecht.....	9041
Mr. Mario Sergio.....	9041

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Taxation

Mr. Ernie Hardeman.....	9041
-------------------------	------

John Lennon

Mr. Lorenzo Berardinetti	9041
--------------------------------	------

Taxation

Mr. Norm Miller	9041
-----------------------	------

Public consultation

Mr. Michael Prue	9042
------------------------	------

Over 55

Mr. Khalil Ramal	9042
------------------------	------

Public consultation

Mr. Frank Klees	9042
-----------------------	------

Public consultation

Ms. Leeanna Pendergast.....	9043
-----------------------------	------

Durham consolidated courthouse

Mr. Wayne Arthurs	9043
-------------------------	------

Valerie Hunt

Mr. Dave Levac.....	9043
---------------------	------

Day of Remembrance and Action on Violence Against Women / Journée de commémoration et d'action contre la violence faite aux femmes

Hon. Laurel C. Broten.....	9044
Mrs. Elizabeth Witmer.....	9044
Mme France Gélinas	9045

PETITIONS / PÉTITIONS

Taxation

Mr. Jim Wilson	9046
----------------------	------

Taxation

Mr. Gilles Bisson	9046
-------------------------	------

Hispanic community

Mr. Tony Ruprecht.....	9046
------------------------	------

Taxation

Mr. Ernie Hardeman.....	9046
-------------------------	------

Diagnostic services

Mme France Gélinas	9047
--------------------------	------

Cancer treatment

Ms. Helena Jaczek.....	9047
------------------------	------

Taxation

Mr. Norm Miller.....	9047
----------------------	------

Hispanic community

Mr. Mike Colle.....	9047
---------------------	------

Pension plans

Mr. Jim Wilson.....	9047
---------------------	------

Hispanic community

Mr. Khalil Ramal	9048
------------------------	------

Taxation

Mrs. Elizabeth Witmer	9048
-----------------------------	------

Hospital funding

Mr. Bob Delaney	9048
-----------------------	------

Taxation

Mr. Norm Miller.....	9049
----------------------	------

PRIVATE MEMBERS' PUBLIC BUSINESS / AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Hispanic community

Mr. Tony Ruprecht.....	9049
Mr. Ted Arnott	9050
Mr. Peter Tabuns.....	9052
Mr. Mike Colle.....	9053
Mr. Khalil Ramal	9054
Mr. Mario Sergio.....	9054
Mr. Tony Ruprecht.....	9055

Highway Traffic Amendment Act (Senior Driver's Conditional Licence), 2009, Bill 221, Mr. Ramal / Loi de 2009 modifiant le Code de la route (permis de conduire restreint pour personne âgée), projet de loi 221, M. Ramal

Mr. Khalil Ramal	9055
Mr. Frank Klees	9057
Mr. Gilles Bisson	9058
Mr. Tony Ruprecht.....	9060
M. Jean-Marc Lalonde	9060
Mr. Mario Sergio.....	9061
Mr. Khalil Ramal	9062

Fire Protection and Prevention Amendment Act (Fire Sprinkler Retrofitting), 2009, Bill 214, Mr. Sergio / Loi de 2009 modifiant la Loi sur la prévention et la protection contre l'incendie (installation rétroactive d'extincteurs automatiques), projet de loi 214, M. Sergio

Mr. Mario Sergio.....	9062
Mr. Frank Klees	9064
Mr. Gilles Bisson	9065
Mrs. Linda Jeffrey	9066

Mr. Ernie Hardeman	9067
Mr. Paul Miller	9067
Mr. Khalil Ramal	9068
Mr. Mike Colle	9068
Mr. Mario Sergio	9069
Hispanic community	
Motion agreed to	9069
Highway Traffic Amendment Act (Senior Driver's Conditional Licence), 2009, Bill 221, Mr. Ramal / Loi de 2009 modifiant le Code de la route (permis de conduire restreint pour personne âgée), projet de loi 221, M. Ramal	
Second reading agreed to	9069
Fire Protection and Prevention Amendment Act (Fire Sprinkler Retrofitting), 2009, Bill 214, Mr. Sergio / Loi de 2009 modifiant la Loi sur la prévention et la protection contre l'incendie (installation rétroactive d'extincteurs automatiques), projet de loi 214, M. Sergio	
Second reading agreed to	9070

ORDERS OF THE DAY / ORDRE DU JOUR

Time allocation

Mr. Mike Colle	9070
Motion agreed to	9070

CONTENTS / TABLE DES MATIÈRES

Thursday 3 December 2009 / Jeudi 3 décembre 2009

ORDERS OF THE DAY / ORDRE DU JOUR

Environmental Protection Amendment Act (Greenhouse Gas Emissions Trading), 2009, Bill 185, Mr. Gerretsen / Loi de 2009 modifiant la Loi sur la protection de l'environnement (échange de droits d'émission de gaz à effet de serre), projet de loi 185, M. Gerretsen	
Hon. John Gerretsen.....	9023
Mr. Ernie Hardeman.....	9024
Mr. Peter Tabuns.....	9026
Ms. Helena Jaczek.....	9027
Ms. Cheri DiNovo.....	9028
Mr. Phil McNeely	9029
Third reading agreed to	9029

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mrs. Liz Sandals	9029
Mr. Charles Sousa	9030
Mr. Yasir Naqvi	9030
The Speaker (Hon. Steve Peters).....	9030
Hon. John Milloy	9030
Ms. Lisa MacLeod	9030
Member's birthday	
Mr. Dave Levac.....	9030

ORAL QUESTIONS / QUESTIONS ORALES

Government accountability	
Mrs. Christine Elliott.....	9030
Hon. Dalton McGuinty.....	9030
Government's record	
Mr. Peter Shurman	9031
Hon. Dalton McGuinty.....	9031
Taxation	
Ms. Andrea Horwath.....	9032
Hon. Dalton McGuinty.....	9032
Taxation	
Ms. Andrea Horwath.....	9033
Hon. Dalton McGuinty.....	9033
Agency spending	
Mrs. Christine Elliott.....	9033
Hon. Dalton McGuinty.....	9034
Hon. Peter Fonseca	9034

Taxation

Ms. Cheri DiNovo.....	9034
Hon. Dwight Duncan.....	9034

Cancer treatment

Mr. Yasir Naqvi	9034
Hon. Deborah Matthews	9035

Taxation

Ms. Lisa MacLeod	9035
Hon. Dwight Duncan.....	9035

Aboriginal children's services

Mr. Gilles Bisson	9036
Hon. Laurel C. Broten	9036

Accessibility for the disabled

Mrs. Maria Van Bommel	9036
Hon. Madeleine Meilleur	9036

Forest industry

Mr. John Yakabuski	9037
Hon. Donna H. Cansfield	9037

Taxation

Ms. Andrea Horwath	9037
Hon. Brad Duguid	9037

Immigrant services

Mr. Bas Balkissoon	9038
Hon. Michael Chan	9038

Ministerial responsibility

Mrs. Joyce Savoline	9039
Hon. Dwight Duncan.....	9039

Injured workers

Mr. Paul Miller.....	9039
Hon. Peter Fonseca.....	9039

Wildlife management

Mr. Rick Johnson	9040
Hon. Donna H. Cansfield	9040

DEFERRED VOTES / VOTES DIFFÉRÉS

Good Government Act, 2009, Bill 212, Mr. Bentley / Loi de 2009 sur la saine gestion publique, projet de loi 212, M. Bentley	
Third reading agreed to	9041

Continued on inside back cover



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Monday 7 December 2009

Lundi 7 décembre 2009



**Speaker
Honourable Steve Peters**

**Président
L'honorable Steve Peters**

**Clerk
Deborah Deller**

**Greffière
Deborah Deller**

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 7 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 7 décembre 2009

The House met at 1030.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

Prayers.

INTRODUCTION OF VISITORS

Ms. Cheri DiNovo: It's my pleasure to introduce Paul Pighen from our constituency office, here visiting.

Hon. Monique M. Smith: It's my privilege to welcome the Wolfe family back again today. They're in the public gallery. David, Ann and sister Maggie are all the family of Sam Wolfe, who is hopefully celebrating his last week as one of our pages.

Mr. John O'Toole: I'm pleased to introduce Lauri Leduc, who is in the visitors' gallery. Lori was part of the legislative internship program in 1998, I believe, and served all sides of the House. As well, I hired her and she's now a proud mother, back visiting the Ontario Legislature.

I'm also pleased to introduce page Maggie Hutchinson's father, Scott Hutchinson, her older sister Amy, and Ron and Eleanor Templar, who are Maggie's grandparents. Welcome to Queen's Park.

Hon. Kathleen O. Wynne: I would like to welcome Gayle Grass to Queen's Park today. We're going to be having lunch. She won me in an auction, so there you go.

The Speaker (Hon. Steve Peters): On behalf of the member from Niagara Falls and page Alana Fansolato, I'd like to welcome her mother, Carina, and family friend Joanne Taylor to the public galleries today. Welcome to Queen's Park.

ORAL QUESTIONS

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Tim Hudak: My question is for the Deputy Premier and concerns the Ministry of Labour.

This morning, the auditor will release a report detailing your mismanagement of the compensation fund managed by the Workplace Safety and Insurance Board. I say to the Deputy Premier, the Minister of Labour has said that the unfunded liability was "completely attributable to

the downturn in the markets." Do you agree with that statement?

Hon. Dwight Duncan: I'll await the release of the auditor's report later today. I think what's important, though, is that we balance fairness and financial sustainability for Ontario's injured workers and our employers. In the current economic climate, we need to ensure fairness for injured workers. We have provided workers with three 2.5% increases in payments since 2007, and these increases have helped more than 155,000 injured workers. I can confirm for the member that across insurance organizations around the world, due to market situations over the past year, there has been a deterioration in portfolios, some of which may be coming back. But, like the member opposite, I look forward to the Auditor General's report.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: I think the Deputy Premier is playing it safe in not using the same line as the Minister of Labour. The Minister of Labour was way off. The public accounts show that between 2002 and 2006, the unfunded liability at WSIB was actually shrinking, and then Dalton McGuinty appointed his Liberal friend Steve Mahoney to head up the WSIB. In Mr. Mahoney's first year, the liability grew by over \$2 billion. He topped that in his second year, when the liability increased by \$3.5 billion. In the two years prior to the global downturn, the unfunded liability grew from \$6 billion to \$11.5 billion. I say to the Deputy Premier: Why did the Minister of Labour say one thing when the facts say Mahoney has done a bad job?

Hon. Dwight Duncan: As I indicated to the Leader of the Opposition, in fact, recent events obviously will impact on the financial statements of an insurer. This government has chosen, over the course of the last three years, to provide cost-of-living benefits to injured workers. We don't think that is out of line. Like the leader of the third party, I'll await the Auditor General's report. As we have done in earlier years, we will follow the recommendations of the auditor and welcome his report. It helps us manage the resources, assets and liabilities of the government.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Sadly, the Premier is failing to ask the difficult and uncomfortable questions a Premier needs to ask of his ministers. Well before the economic downturn, Mr. Steve Mahoney caused the unfunded liability to leap from \$6 billion to \$11.5 billion. Public accounts clearly demonstrate that Mr. Mahoney managed to double the deficit of the fund. Sadly, out of some 600 agencies,

boards and commissions in our province, Mr. Mahoney and the WSIB were one of only four not to file their annual report on time to public accounts. One wonders what Mr. Mahoney is trying to hide.

I ask the minister: If the unfunded liability was \$11.5 billion before the markets tumbled, how bad is the hole today?

Hon. Dwight Duncan: Again, I would urge all members of the House to look at all the circumstances that have faced insurance markets globally. We have, over the course of the last three years, managed these changes, as well as making sure that injured workers aren't forced to bear the brunt of these difficult issues.

Most recently, last week we nominated David Marshall to be the new president of the WSIB. Mr. Marshall is an international banker with strong financial acumen, and we believe he will be a great asset as the WSIB heads into its second century. No doubt there are difficult choices. The government will make them as needed, in working with the board, the chair and the new president. And unlike that member opposite—

The Speaker (Hon. Steve Peters): Thank you. New question.

1040

WORKPLACE SAFETY AND INSURANCE BOARD

Mr. Tim Hudak: Back to the Deputy Premier. The fact is, they made no difficult decisions other than to grow the unfunded liability at the WSIB. The hole began to fall to \$11.5 billion even before markets tumbled. We all know about Mr. Mahoney's performance in that job. Mr. Mahoney billed Ontario taxpayers more in per diems than there were days in the working year. Your Liberal friend turned a part-time job into a \$140,000-a-year gig, plus expenses, while he drove the WSIB into the ground.

I ask the Deputy Premier: Why did you show the CEO, Jill Hutcheon, the door, but reappoint your Liberal friend?

Hon. Dwight Duncan: My understanding is that Ms. Hutcheon retired; that's my understanding of the matter.

We engage the services of people from all walks of life and of all political stripes on our agencies, boards and commissions. The member opposite will be aware that a couple of weeks ago, I asked Mr. Paul Godfrey, the chair the OLG, a very prominent Conservative—

Interjection.

Hon. Dwight Duncan: My colleague the Minister of Transportation reminds me that Dr. Bob Elgie once served as the chair of what was then the WCB—a very prominent member of the Conservative Party and a very distinguished parliamentarian and servant of the people. There was a very large unfunded liability at that time as well.

We will meet these challenges on an ongoing basis, balancing the interests of injured workers with those of the employer community that pay the premiums—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Tim Hudak: I am going to ask the Deputy Premier: Isn't it time for Mr. Mahoney to retire? He has turned a part-time job into a \$140,000-a-year job. He charged taxpayers thousands of dollars for limos, until the McGuinty government gave him a car—only to get lost without his driver and then charge taxpayers for a GPS system, so he could finally find his way home.

New FOIs show that Mr. Mahoney continued to live the high life at high-end restaurants like Acqua and the Glenora Inn, while the WSIB's compensation fund liability doubled under his watch.

I say to you again, Minister: Isn't it time to show Mr. Mahoney the door?

Hon. Dwight Duncan: This government remains committed to working with injured workers. These are code words from the leader of the Conservative Party about cutting benefits to injured workers. That is what this is about. They shake their heads, but their record proves much different. When Mr. Hudak talks about the doubling of the unfunded liability, what he's complaining about is that we have protected injured workers from inflation. When Mr. Hudak and his party talk about firing this one and that one, that's a prelude to cutting injured workers' benefits. Injured workers know the record of that leader and his party—

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: What I'm talking about is a Liberal friend, Mr. Mahoney, who has driven the WSIB into the ground. He has increased rates to hurt businesses, and the service for injured workers is at an all-time low, while Mr. Mahoney lives high off the hog.

We see a pattern emerging under the Dalton McGuinty government that protects members of the Liberal family but makes public servants walk the plank. Your friend Mr. Mahoney is still there. He is still wasting taxpayers' money, he has doubled the unfunded liability, and he has also increased the operating deficit by some 89%, even though premium revenue is up by some 30%.

I say to the Deputy Premier: Why do you have one rule for Liberal friends and one rule for everybody else? Shouldn't you show Mr. Mahoney the door?

Hon. Dwight Duncan: I think the people of Ontario are probably a little bit confused by what they're hearing from that side of the House. The official opposition, under the signature of the deputy leader, recently sent a letter to the chair, Mr. Mahoney, that said, "On behalf of all members of the PC caucus, I thank you for the good work that you do."

The deputy leader was asked if the chair should resign, and she said she couldn't say. After the labour critic's display in this House last Thursday, it's clear he is in definite disagreement with his leader.

The real question is: Who's in charge over there? Is it Mr. Murdoch? Is it any of a number of other members? Who's in charge?

What I can say is this: Our government will continue to look out for the interests of both employers and injured

workers. What he's talking about is cutting benefits to injured workers. That's what he and his—

The Speaker (Hon. Steve Peters): Thank you. New question.

TAXATION

Mr. Paul Miller: My question is to the Acting Premier. As early as tomorrow, this government will be ramming through its HST bill. With only a scant day and a half of public hearings, tens of thousands of Ontarians have been shut out of the process, Ontarians like Nancy from Sault Ste. Marie, who wrote:

"Please do not go forward with the HST. We are barely on our feet now, and the last thing all of us need ... is another tax. I have been without a job since the end of November last year and not eligible for EI ... I can't even take part in the retraining programs due to this. I've been living off savings and the last of my RSPs.... Where am I supposed to get money to pay more taxes?"

Nancy has a valid question. How will she and tens of thousands of Ontarians like her come up with 8% more to pay for basics like home heating, gas, haircuts and many more?

Hon. Dwight Duncan: In fact, it is for people like Nancy that we are bringing forward the comprehensive tax package that we have. She will actually see her taxes cut overall.

We also know that, according to experts, ranging from right-wing to left-wing economists, this package will create jobs. It will in fact be individuals like Nancy and her family who have had to suffer through this difficult downturn who hopefully, over time, will see this large benefit in employment, as well as see their taxes cut overall. The sales tax credit should more than offset the additional challenge that she will see.

This is the right package. It's about creating jobs. It's about a better future for people like Nancy.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: Since the Acting Premier won't listen to Nancy, maybe he'll listen to one of his constituents, Don from Windsor, who says: "I, as a consumer, will be paying 13% on almost everything. This HST is just another government rip-off of hard-earned money."

Don is echoed by Cary from Thunder Bay who adds: "Tell them to keep their \$1,000 ... bribe. We all know the average family will be paying out way more than their meagre bribe."

These are everyday Ontarians who know that the HST will only make their lives more expensive. Why is the McGuinty government ignoring them?

Hon. Dwight Duncan: I respect the opinion of people out there, but there are other opinions as well. Today at the committee, we've heard from the Smart Taxation Alliance in favour of this plan, and the Ontario Automobile Dealer Association. Thursday, we heard from Michael Smart from the Ontario Chamber of Commerce, and the Canadian Manufacturers and Exporters.

For people like Don and constituents of mine, I urge them to look at the whole package. This will create jobs for unemployed auto workers. This will improve the outlook for this economy. This will make us more competitive economically. It is a difficult political choice to make, but it is the right choice. It's about lowering taxes for 93% of Ontarians and about creating some 600,000 net new jobs over the next 10 years.

Mr. Paul Miller: Ontarians aren't buying what this government is selling, and the minister knows it.

1050

Here's what Brad from Dundas says: "Implementing HST will not benefit the people of the province." This change "is supported by big business who have the influence with our current government, where the average citizen does not."

If the finance minister is so certain that everyday people like Nancy, Don, Cary and Brad have it wrong, why won't he halt the HST implementation and put it to a real test of the people in the 2011 general election?

Hon. Mr. Duncan: That member and his party can repeal it and campaign on that, which they pointedly have refused to do up until now.

Governments are called upon to lead. Governments sometimes take difficult choices, not because they are easy, but because they are in the best interests of the people in this province. To my constituents who are unemployed in the auto sector, I remind them that even Buzz Hargrove has publicly supported this tax policy. I remind them that economists on the left wing of the political spectrum, including Hugh Mackenzie, have supported this tax package largely because it is the right thing for the vast majority of Ontarians, particularly Ontarians of more modest incomes.

It would be easy to do nothing. It would be easy to do what the NDP says and just stay with the status quo. We choose to take action, we choose to create jobs, and we choose to make Ontario a better place to live for our children and our grandchildren.

TAXATION

M^{me} France Gélinas: Ma question est pour le remplaçant du premier ministre.

This year, the McGuinty government did not come to Sudbury for pre-budget consultations, and we all know that you won't hold HST consultations in Sudbury. So let me share some of the comments that the residents of Sudbury and Nickel Belt wanted to tell you.

Jane writes: "We are taxed to death with no recovery in sight. I'm not in favour of the proposed HST."

Louise a ajouté : « J'ai 58 ans. Je paie des taxes depuis que j'ai 17 ans, quand j'ai commencé à travailler. Il faut faire quelque chose. Ça ne peut pas continuer comme ça. »

Jane and Louise don't support the HST, and they're not alone. Why is the McGuinty government ignoring the people of Sudbury who do not want a tax that will make life more expensive?

Hon. Dwight Duncan: I have been to Sudbury since the introduction of the tax. The Premier has. Minister Bartolucci has. Minister Wilkinson has. I'll be meeting with the mayor of Sudbury next Thursday.

The NDP just want to cocoon and pretend and do nothing. We want to create jobs for those unemployed miners in Sudbury—for the north particularly, which has been so hard hit.

Interjections.

Hon. Dwight Duncan: It's easy to laugh, like the NDP are doing right now, about the unemployed. We wouldn't laugh about the unemployed. We've put together a package that will reduce taxes for 93% of Ontarians. It will create some 600,000 new jobs. I think Hugh Mackenzie got it right. I think the Daily Bread Food Bank got it right. I think the 25 in 5 coalition got it right. The NDP are abandoning the poor and the unemployed in favour of a cheap political gain. We're going to continue to fight and make jobs for our children—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

M^{me} France Gélinas: Personal and business bankruptcies are at an all-time high in Sudbury; we're the second-highest place for bankruptcies. People who are not making a profit are not going to benefit from a tax cut.

There are families like Skye Little's. Skye lives in my riding, and she writes that the the HST "will add hundreds of dollars in additional tax on utility bills, such as gas, electricity and home heating fuel, on home renovation labour, the cost of lawn upkeep or landscaping and the cost of snow removal. Moreover, [the] HST will increase my family's daily cost of living with 8% more on gasoline, personal and professional services, dry cleaning, cab fares, magazine subscriptions, plane tickets, vitamins and cellphone charges," etc.

Why is this government forcing Skye's family to swallow such a bitter economic pill?

Hon. Dwight Duncan: I want to make sure I don't offend the Chair.

Ninety-three per cent of Ontarians will see an overall reduction in their tax, and that member and her party cannot deny it. We're cutting taxes for people of modest incomes. We are cutting taxes and we're increasing the tax credits for low-income Ontarians. We're accelerating the Ontario child benefit, which will benefit the people of most modest incomes and our children, and that member and her party are going to vote against it again.

They have no plan. They have no idea about how to create jobs. Instead of taking a tough choice, instead of helping to convince people in spite of these difficult choices that this is the right package, the member chooses to do the political thing. We're doing the right thing, and the people of Ontario will see that as jobs get created—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

M^{me} France Gélinas: The people of Sudbury in my riding don't see it as job-creating, and they're no fools.

They see straight through this government and its misplaced priorities.

M. Therrien from Dowling nails it when he says, "The McGuinty government needs to realize that Canadians are sick and tired of seeing our tax dollars wasted." He talks about eHealth and million-dollar boondoggles. He talks about the \$3,000-a-day consultants and total mismanagement. He ends in capital letters, saying, "We are fed up."

Rather than plow ahead with a tax Ontarians clearly don't want, will the minister agree to do the right thing: Scrap the implementation of the HST? Will you do that?

Hon. Dwight Duncan: No, we will not. We are proceeding with a package of tax reforms that will reduce unemployment, increase incomes and increase capital investment. There's no doubt that this is a very complex piece of public policy. It involves cuts in taxes for 93% of Ontarians. It involves difficult choices for a government—

Hon. Gerry Phillips: It's the way forward, though.

Hon. Dwight Duncan: But it is the way forward, as my colleague says. It's about making this economy more competitive. It's about creating new jobs in the mining sector for people in Sudbury. It's about creating new jobs in the pulp and paper industry in the northwest. That's why those industries have supported it. It's about creating auto jobs in southwestern Ontario.

This is the right policy. It will create jobs, it will raise income, and it will raise capital investment in this province.

CHILD PROTECTION

Ms. Sylvia Jones: My question is for the Attorney General. Your ministry, along with the Ontario Association of Chiefs of Police and the Ontario Association of Children's Aid Societies, negotiated a protocol to streamline the screening of police and crown records needed for child protection services. This new protocol would mean cost and time savings for children's aid societies, crown attorneys and police services across Ontario. Why has this proposal been sitting on your desk for three months waiting for sign-off?

Hon. Christopher Bentley: In fact, it hasn't been. The parties are always looking for more effective ways to deal with these cases. As you can appreciate, there are many, many issues that arise with respect to the protection of children. The number one issue is, we must make sure the children are being completely and utterly, at all times, properly protected and properly represented. We want to make sure that any protocol that has been arrived at, or any more effective way of dealing with cases that has been arrived at, will not have unintended consequences when they're applied to the cases, which are not cookie cutter, which are not all the same. It's important that every one of those issues be fully considered and outlined as we bring in more effective ways of dealing with these very sensitive and very important—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Sylvia Jones: The Attorney General knows full well that the MCYS minister and the Solicitor General have already signed off on this new protocol. Clearly, they are not worried about the minuscule details that you are concerned about.

You must know that the children's aid societies across Ontario have been forced to cut their budgets by \$67 million. CASs are trying to find savings and efficiencies, and you, Minister, are blocking them.

This new protocol is sitting on your desk waiting for sign-off, but your lack of action tells me that you are not worried about vulnerable children in Ontario. When will you finally sign off on this new screening for child protection services and protect Ontario's most vulnerable children?

1100

Hon. Christopher Bentley: With respect, the protection of the most vulnerable children is not a minuscule detail—never has been, never will be. And you're right: The lawyers will take all the time they need to take to make sure that children are appropriately protected. We will not speed things through—

Interjections.

The Speaker (Hon. Steve Peters): Member from Hamilton East.

Minister?

Hon. Christopher Bentley: We want to make sure because we know that if any new procedure or policy has unintended consequences, my friend opposite will be the first one to jump up and say, "Why weren't you protecting the children?"

They're actively considering and reviewing this, making sure that it can be implemented, making sure the most vulnerable are protected, which is one of the reasons, of course, that we were able to announce the largest funding increase in legal aid history, which supports the lawyers who do this type of work that protects vulnerable children.

TAXATION

Mr. Rosario Marchese: My question is to the Acting Premier. Last week I had a meeting on the issue of the harmonized sales tax at Trinity Bellwoods Park and we had some condominium owners, small business owners and regular homeowners—

Hon. James J. Bradley: Was Hugh Mackenzie there?

Mr. Rosario Marchese: No, he wasn't.

I've got to tell you, they couldn't believe that you have ended the debate or that you're ending the debate today on this particular issue. I've got to tell you, they were really, if truth be told, frustrated and angry. You would know this because there was some Liberal staffer there videotaping the whole meeting. They said that they wanted to know how they could stop this tax, which they consider to be an unfair tax. So I said to the small business owners, condo owners and homeowners that I

would ask you the question. What could they do to stop this tax?

Hon. Dwight Duncan: I would say this: What they could do is look at the full package. I think they would realize, first of all, that this will lower taxes for 93% of Ontarians. That's why prominent New Democrats like Hugh Mackenzie and others are supporting it. I would say to them, I'm sure the members in the third party caucus forgot to remind the small business owners they're getting a 17% cut in their corporate income taxes. They probably didn't tell them that. It's not their job.

The member for the third party probably did not talk about the endorsements of a range of people in the small business community. In fact, the Smart Taxation Alliance says that this is the right policy for Ontario.

We are absolutely committed to creating these jobs and to lowering taxes—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Rosario Marchese: Minister, you keep invoking the financial fairies as the Greeks invoked the oracles 1,000 years ago. I've got to tell you that the only certainty they have is that they're going to get whacked in perpetuity with an unfair tax. That's what they know and that's what is certain.

What we hear from Beaches–East York and what we hear from Toronto–Danforth and Parkdale–High Park and from my riding is that this tax is unfair and they want to fight it, and they believe that the two-day hearings you've had are inadequate for them to be able to tell you what they feel.

What you are doing is wrong. If you are so convinced that you are on the right track, why have you limited the debate to two days of hearings instead of opening it up to all Ontarians for them to tell you what they think and what they feel?

Hon. Dwight Duncan: We introduced this bill some nine months ago. We have had more than 40 hours of debate on the bill here in this House. In fact, this bill has been talked about on the floor of the House of Commons. We've had public hearings on this bill here. We have conducted more than 160 meetings across the province. This is the right package. It's about creating jobs.

I know the member opposite doesn't want to increase the Ontario child benefit and will vote against that. I know that he doesn't want to lower income taxes for low-income Ontarians, and will vote against that. I know that he's going to vote against doubling the senior property tax credit. I know the member opposite doesn't support those.

I believe the people of Ontario will see the wisdom of this policy. We will create jobs, lower taxes for 93% of—

The Speaker (Hon. Steve Peters): Thank you. New question.

TAXATION

Mr. David Zimmer: My question is for the Minister of Revenue. With Bill 218, the Ontario Tax Plan for

More Jobs and Growth Act, Ontarians will see permanent personal income tax cuts starting January 10, 2010. Residents in Willowdale, especially seniors, are facing a global recession. It's important that we get our tax relief in place as soon as possible.

The federal government has helped Ontario introduce this comprehensive package of tax cuts with \$4.3 billion in transition assistance to Ontario. Last week in Ottawa, the federal Conservative and Liberal parties put partisan politics behind them and voted to cut taxes and create jobs in Ontario.

If the federal legislation passes in Ottawa and here at Queen's Park, what will it mean, Minister, for my constituents in Willowdale and indeed for all Ontarians?

Hon. John Wilkinson: I want to thank my friend for the question. It's important for us to remember that, effective January 1, we'll be providing permanent income tax cuts for Ontarians. Some 93% of Ontarians will receive a permanent income tax cut. Some 90,000 Ontario families will not have to pay provincial income tax anymore.

Let's look at it specifically in regard to a senior. Of course, a senior with low income who would receive the GST rebate today will also qualify for the new enhanced Ontario rebate of some \$260. That, in a sense, prepays the tax at 8% of some \$3,250 worth of purchases. As well, a senior will see their property tax credit double by an additional \$250. Again, that's more than \$3,000 worth of additional, permanent, prepaid HST. As well, if that is a senior couple, they will qualify for some \$1,000. That's \$12,500 worth of purchases prepaid.

Mr. Speaker, I—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. David Zimmer: This morning, public consultations on our comprehensive tax package continued. These consultations heard from a wide range of groups, including individuals, non-profit organizations and business groups. I, like many residents in Willowdale, followed the consultations closely. The consultation heard from groups including the Canadian Manufacturers and Exporters, which stated that the "HST makes economic sense," and the Ontario Chamber of Commerce, which said, "The HST will, because of increased competitiveness, create jobs," and the Ontario Road Builders' Association, which said the HST is "the most important measure to stimulate economic recovery in Ontario."

Minister, why is it important to the people in Willowdale, and indeed all Ontarians, who are worried about the job outlook, who are worried about the economic outlook? Why is it important that we bring in this comprehensive tax—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. John Wilkinson: It's quite simple: We have a fundamental choice that Ontario and Canadians have to deal with. In the face of this global economic recession, is the appropriate answer to do nothing—the status quo? Or is it to do something that will stimulate the economy,

where we have a response that shows that this tax measure, in and of itself, will help to create 591,000 more jobs, an increase in income of some 8.8%, and \$47 billion more investment.

I say to my friend in Willowdale that his riding represents about 1% of the population of Ontario—1% of 591,000 new jobs, 1% of 47 billion dollars' worth of more investment. Every one of his constituents can look forward to having a raise in income of up to 9%. That is good for the people of Willowdale, it's good for Ontario and it's good for Canada. That's why our two governments have agreed that this is the most important—

The Speaker (Hon. Steve Peters): Thank you. New question.

WORKPLACE SAFETY

Mr. John Yakabuski: My question is for the Deputy Premier on the Ministry of Labour. The minister is aware that on September 7, 2007, an industrial accident occurred at Gulick Forest Products in Palmer Rapids. On July 24, 2008, his ministry laid four charges against the Gulicks. Subsequently, their representative set about on a scheme to cajole, intimidate and threaten the Gulicks into pleading guilty, using such tactics as saying, "We're the government. You can't win. If you don't plead guilty, we'll go after you for the full \$2 million. Plead guilty, and it's \$65,000 plus surcharges."

1110

The Gulicks knew they had done nothing wrong and would not be bullied. They had spent tens of thousands of dollars to defend themselves against these bogus charges, and four days before the trial they withdrew them because they had no case. Do you approve of the conduct of inspector Steven Brennan and crown counsels Linda Chen and Catherine Glaister in this matter?

Hon. Dwight Duncan: The member opposite is referencing a matter that is currently before the courts. I would remind him that a worker was seriously injured in the workplace. As the matter is currently before the courts, it would be inappropriate for me to comment further. The court, as I understand it, as it sees to the matter will determine the proper process to address it.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: Deputy Premier, the agents further engaged in serious wrongdoing to get the notch on their belt, as they say. This included tampering with evidence by doctoring documents, withholding evidence that would be exculpatory to defendants and claiming it didn't exist, and coercing a witness to give false testimony. Minister, the crown must seek the truth ahead of convictions. If the crown engages in nefarious practices, then our justice system fails and we all lose.

Interjections.

The Speaker (Hon. Steve Peters): Ask the question, please.

Mr. John Yakabuski: Minister, I have a binder here of all the facts, and you are aware of those facts. Will you agree to an independent investigation of this matter and

suspend your rogue agents while it's being conducted, or do you approve of their actions?

Hon. Dwight Duncan: Again, the matter is before the courts. I do believe our courts are independent and I do believe our courts will handle the matter in an appropriate fashion. What I would stress on the larger question is that the health and safety of workers is an important issue. It's one where we have increased the number of inspectors. I don't think members of this House should underestimate the importance of health and safety. Earlier today they were complaining about the WSIB unfunded liability, and that member and his party now want us not to enforce the law. In any matters before the court, it would be inappropriate for me to comment. I would stress again to the member opposite that in fact the court is a fair and impartial place for these sorts of issues to be heard.

The Speaker (Hon. Steve Peters): New question.

ABORIGINAL CHILDREN'S SERVICES

Mr. Gilles Bisson: My question is to the Minister of Children and Youth Services. Minister, you will know that over 80 kids have attempted suicide, and some have succeeded, in the last year alone. You will know that Payukotayno is one of the agencies charged with making sure that we make those kids safe. Imagine their frustration once they've applied for funding from the Ministry of the Attorney General, from the victims of violence program. They had been approved in order to get money and intervene for some of these kids who are high at risk. Imagine their surprise when they were told last week that the money will not be flowing because of the funding crisis that you refuse to deal with up to now.

My question is this: Why are you allowing this funding crisis to remain, knowing that it's going to prevent the very services that are needed in order to assist some of these kids who are at risk of suicide?

Hon. Laurel C. Broten: I'm pleased to have an opportunity once again to provide an update to this House as to the work that's being undertaken by my ministry, by myself and by folks within the regional office in the Ministry of Children and Youth Services to tackle the critically important issues and to help Payukotayno support their community.

I had an opportunity Friday to speak first-hand to the executive director, members of the board and other individuals at Payukotayno about the ongoing work that we are doing, both at a regional level and the ministry, to tackle the issues with respect to both short-term and long-term sustainability. The issue of the decision having been made with respect to funding from the Ministry of the Attorney General is one that was brought to my attention on December 2. During my call with them, I committed to work very closely with the Attorney General to ensure that aboriginal children are protected and supported. That's exactly what we'll do.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: Minister, why does it take a crisis in order for us in this Legislature—and, more specific-

ally, your government—to deal with what is an epidemic on the James Bay coast when it comes to suicide? This issue has been around for a while. You've known for a while what's been going on with regard to the risk of suicide on the James Bay. There has been funding applied to it—now I'm hearing from you that maybe it's going to get freed. “Maybe” is not going to cut it. We need to know today: Are you committing that the funding crisis will be resolved in the case of Payukotayno and other child and family services agencies in this province so they don't have to shut down come this January? Will the funding needed in order to be able to deal with those kids at risk flow?

Hon. Laurel C. Broten: As I have said before, we will not allow children in this province to be at risk. We are working every day to find a better future for those children, and it has not been a recent initiative of our government to tackle these issues. In fact, our aboriginal healing and wellness strategy crisis intervention teams in the north and a total funding of \$1.8 million for crisis intervention workers are just a few examples of the work that's being done right across the province.

I've been questioned in this House as to whether or not folks within my ministry are working collaboratively with the executive leadership of Payukotayno. I can tell you that one thing that has come from the work that the individuals on-site in Moosonee have been able to do is, by going through the records and the books, they have been able to ensure and identify \$300,000 that needs to come to this agency. We work collaboratively with them. I committed that to them as I spoke to them on the phone last week. My commitment remains the same. We will—

The Speaker (Hon. Steve Peters): Thank you. New question.

GREENHOUSE GAS EMISSIONS

Mr. Phil McNeely: My question is for the Minister of the Environment. Ontario has a long list of accomplishments, under the leadership of Dalton McGuinty, that clearly places our province in a leadership role in sustainable development in North America. Ontarians are proud of the commitment we've made to ending coal-fired generation in this province by 2014, a move that will go a long way to meeting our greenhouse gas reduction targets—below 1990 levels—of 6% by 2014, 15% by 2020 and 80% by 2050.

Ontario has taken another strong step with proposed legislation to put in place a cap-and-trade system, but the inability of the federal government to address greenhouse gas production on a national level jeopardizes the important gains made by Ontarians to date and our future progress. Would the minister please tell Ontarians what is necessary to protect their hard-earned progress in reducing greenhouse gas emissions?

Hon. John Gerretsen: First of all, let me say that Ontarians have come a long way and worked extremely hard to reduce greenhouse gas emissions already, through energy conservation and through buying more energy-effi-

cient products and vehicles. But in order to take action, we also believe that we are responsible as global citizens and we should do our part to fight climate change. A federal plan must be fair to Ontario and must be fair to everyone.

Our plan calls for, as the member said, a 6% reduction by 2014 and a 15% reduction by 2020, which is better than the federal plan of only a 3% reduction, if you look at it in terms of the Kyoto Protocol of 1992. Therefore, we say that Canada should show true leadership by ensuring that significant pollution reductions take place all across the country. The progress that we've made here in Ontario should simply not be used as an excuse to increase emissions elsewhere in the country. Canada should join with other leading jurisdictions to—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Phil McNeely: A report prepared for the Pembina Institute and the David Suzuki Foundation, conducted by professor of environmental economics Mark Jaccard and funded in part by the Toronto-Dominion Bank, shows that Canada is quite capable of meeting its responsibility to the planet. The costs of doing so are low when compared to the price of inaction, and experience is showing that the need to act is more urgent than ever. A few years ago, scientists predicted that the summer ice cover in the Arctic would be gone in 2100; in fact, it is now predicted that the ice cover will be gone in 2030.

Minister, will Ontario be represented at the Copenhagen climate change conference in mid-December? What can Ontario do to try to convince this country's leadership to take action on this most important issue?

1120

Hon. John Gerretsen: First of all, let me thank this member for the leadership role that he has taken, because he has continuously spoken about this issue and taken action with respect to this issue.

Yes, I will be attending in Copenhagen to put Ontario's position forward, together with other subnationals. We believe that through organizations like the Western Climate Initiative, the subnationals—provinces and states—here in North America have really shown the way for both of our federal governments. It's absolutely important that an agreement is reached in Copenhagen. It's to everyone's advantage. I'll be participating on a number of different panels there, and we will continue to press the federal government to come up with a program that is workable, that will reduce greenhouse gas emissions and will truly make Canada, once again, a leading jurisdiction when it comes to fighting climate change.

MUNICIPAL FUNDING

Mr. Garfield Dunlop: My question today is for the Deputy Premier. Deputy, you are aware of the thousands of manufacturing jobs lost in Ontario and the impact municipalities are feeling. You are also aware of the Ontario-municipal partnership fund and the stable funding guarantee grant. Can you inform this House today

whether or not the province intends to cut grants in 2010 to any municipal governments in Ontario that are currently receiving the stable funding guarantee grant?

Hon. Dwight Duncan: What I can say to the member opposite is that our government has uploaded a range of services, unlike his government, which downloaded those services. The total contribution to municipalities is \$3 billion above where it was when we took office six years ago.

Part of that was a signed deal between Ontario's municipalities and this government. I had the privilege of serving on that body. I can assure the member opposite that we will agree to the undertakings we made in the agreement, and we will continue to work with our municipal partners to ensure that Ontario moves forward and grows in the future in a real partnership.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Garfield Dunlop: I never really heard an answer to my question. Deputy Premier, three urban municipalities in my riding have approached me with grave concerns over strong tips that cuts will be made to the stable funding guarantee grant. Mayor Ron Stevens of Orillia indicated to me that the loss of the stable funding guarantee grant of \$1.3 million will dramatically affect the tax bill of the businesses and citizens of Orillia. Mayor James Downer and Mayor Anita Dubeau of Midland and Penetanguishene advise me that the loss of the stable funding guarantee grant will mean a significant increase in their tax rates for 2010.

Will your government announce, before the House adjourns, the names of the municipalities that will be receiving cuts and the elimination of funding in 2010 under the stable funding guarantee grant? The stable funding guarantee grant—that's the question I'm asking you.

Hon. Dwight Duncan: I indicated that we intend to uphold the agreement we signed with our municipal partners. We are uploading ODSP; we are uploading OW; we are uploading court security costs, a whole range of court services, absolutely.

We're doing that because that member and his government downloaded those services. They made the municipal taxpayer pay more for OW, they made the municipal taxpayer pay a larger percentage of ODSP, and that member voted for each and every one of those increases on municipal property taxes.

It has taken us, admittedly, longer than we would have liked to undo the damage that member and his party caused, but we are committed to working with our municipal partners to upload many of those services that his government—

The Speaker (Hon. Steve Peters): Thank you. The member from Nickel Belt.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: Ma question est pour la ministre de la Santé et des Soins de longue durée. The minister's explanation for not providing a PET scan in the northeast is that there is excess PET scan capacity within

the province. Meanwhile, the University Health Network in Toronto is in the process of installing an 11th PET scan in Ontario.

Larger hospitals in urban area centres have options. They have access to research money, grant money; they have a large population base for fundraising. As large hospitals continue to add capacity, under the minister's capacity argument, the northeast will continue to be left behind.

Does the minister really think that denying access to very sick patients in northeastern Ontario on the basis of capacity is reasonable?

Hon. Deborah Matthews: I know how difficult it is for someone who has been diagnosed with cancer or someone they love has cancer and needs immediate treatment, and that's why we've made PET scanning an insured service. It's available to cancer and cardiac patients, where it has been proven to be clinically effective. There is no one who is denied access to PET scanning technology in this province.

We will continue to evaluate and fund this technology, based on the advice of medical experts. We turn to the experts to help us make these decisions that are so critical to the sustainability of our health care system. We turn to people like Dr. Bill Evans and Terry Sullivan. There's an Ontario PET steering committee. In the case of northeastern Ontario, I think the member opposite knows that while we would love to have PET scanners—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

M^{me} France Gélinas: The people of northeastern Ontario have talked loud and clear. You don't have to listen to me, but listen to the numerous municipalities; listen to all of the First Nations that have written to you; listen to the 20,000 people that have signed a petition calling for PET scanning for northeastern Ontario.

Minister, every region in this province has access to PET scanning except northeastern Ontario. When the McGuinty government decided to add PET scanning as an insured service, you had a duty to ensure equity of access to everybody in this province.

Winter has started in northeastern Ontario. Our roads are covered with ice and snow right now. Does the minister think that it is fair or reasonable for extremely sick people to drive for five to 12 hours to get a PET scan in Toronto? Why is the minister ignoring the needs of very sick people in northeastern Ontario?

Hon. Deborah Matthews: I commend the member opposite for advocating for her community. It's our job, of course, to make sure that people across the province have fair and equal access to PET scanning. There is no wait-list for PET scanning today. We do have other wait-lists that we're trying very hard to bring down.

The other issue I think the member opposite needs to understand is that we do not actually buy the PET scanners. That's done by the community. What we do is look at paying for funding for operating the PET scanner when the community has purchased it.

If the community of Sudbury can raise the money to purchase the PET scanner, we will consider—I want to

stress, we will consider—because we do have to look at the provincial picture. We have important strategies to bring down wait times for MRIs and CTs, among other things. At this moment there is no wait-list for people waiting for PET scanning.

FLU IMMUNIZATION

Ms. Sophia Aggelonitis: My question is for the Minister of Health and Long-Term Care. The vaccination program for H1N1 has now been ongoing for a little over a month. There were some bumps in the road during the rollout, but overall the vaccination campaign has gone fairly smoothly.

Interjections.

The Speaker (Hon. Steve Peters): The member from Kenora—Rainy River and the Minister of Community and Social Services: Take the discussion outside. Please don't interrupt the discussion in the question period.

Please continue.

Interjections.

Ms. Sophia Aggelonitis: Minister, we know that millions of people have been vaccinated in the province, and there are some people who say the H1N1 virus is behind us and we should not be concerned anymore. Can the minister please confirm whether the H1N1 vaccination program is continuing and whether or not Ontarians—

Interjections.

The Speaker (Hon. Steve Peters): The member from Kenora, please don't interrupt.

Mr. Howard Hampton: I'm not alone.

The Speaker (Hon. Steve Peters): You're interrupting the question period. I warn the member from Kenora—Rainy River, please.

Please continue.

Ms. Sophia Aggelonitis: Minister, please confirm whether the H1N1 vaccination program is continuing and whether or not Ontarians still need to get their shot.

Hon. Deborah Matthews: Let me take this opportunity to thank our health care workers right across the province, who have done an extraordinary job. They truly rose to the occasion, helping carry out the largest vaccination campaign ever in the history of this province. Never before have we administered so many vaccines in so short a period of time. We are tremendously grateful for the hard work that has been done across this province.

H1N1 flu activity does continue to be high in many areas of the province. The flu season extends right through the winter and into the spring. That's why we are continuing to offer the H1N1 vaccination until at least next spring. We simply do not know how long this pandemic will last.

I encourage all Ontarians who have not yet received the vaccine to get it. It's important to stop the spread of the disease and to protect your family.

1130

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Sophia Aggelonitis: Minister, I will certainly continue to encourage people in my riding of Hamilton

Mountain to get the shot if they haven't yet. It's important for them to protect themselves and their families.

While we hear of more family doctors offering the vaccine, special clinics set up by public health units for H1N1 vaccinations like those in Hamilton are closed or are closing soon. These clinics were an ideal venue for mass vaccinations. Minister, are there plans to offer the vaccination in any other settings in Ontario?

Hon. Deborah Matthews: I'd like to thank the member from Hamilton Mountain for her tremendous work for her constituents. Special flu clinics are winding down as more family doctors and other community health providers are now offering the vaccine. I'm very pleased to report that workplaces will be offering the H1N1 vaccine in combination with the seasonal flu vaccine. Workplace clinics are a very convenient way to get the vaccine out to Ontarians, and we are very happy that so many employer are stepping up to offer clinics.

The Ontario public service is one of those employers offering clinics. Over 70 clinics will be run across the province, starting today. This is very good news for the close to 70,000 members of the OPS. We're also offering clinics on campuses at Trent, at Fleming, at Queen's, at UOIT, at Ridgetown College, at Georgian College, at Lakehead—I had mine at Western—

The Speaker (Hon. Steve Peters): Thank you. New question.

HOSPITAL SERVICES

Mr. Ted Chudleigh: My question is for the Minister of Health and Long-Term Care. Milton hospital was built to serve a community of 30,000 people; today the population exceeds 90,000 people, and by 2021, the population of Milton is expected to surpass 180,000 people.

Halton health services submitted its business case to redevelop Milton hospital in September 2008. On November 26, 2009, noting that the current Milton District Hospital facility is outdated, undersized, reaching the end of life and incapable of supporting modern-day services, the Mississauga Halton LHIN endorsed the redevelopment of Milton hospital, but it has taken an unacceptable 14 months to get through the first stage of your capital expenditure management procedures.

Minister, how long will it take to ensure adequate health facilities for the residents of Milton?

Hon. Deborah Matthews: Again, I applaud the member for advocating for his community. I just am a bit puzzled, because when we came to office in 2003, there was a tremendous pent-up demand for new hospital capital projects across this province. Our hospital infrastructure had fallen into a dreadfully poor state. We have had an unprecedented amount of infrastructure built. We have hospitals going up right across this province. I'm very, very proud of the progress we've been able to make to date. Although I am well aware that there is still more demand for upgrading and for new hospitals, we're doing the very best we can. We've spent the first six years try-

ing to do some catch-up because of the neglect of the past, and we will continue to do that.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Chudleigh: Minister, in 2001, our government started the redevelopment of Milton hospital, and if that had continued, it would have been open this year. But when you were elected in 2003, you cancelled it. You cancelled the redevelopment of the Oakville hospital and you cancelled the redevelopment of the Milton hospital. Both of those hospitals would have been open this year if that had continued. You didn't restart that process until 2005 in Oakville and 2007 in Milton. Today, those hospitals are sadly lacking because your government didn't manage them properly.

Minister, tell the people of Milton when the functioning program stage of the redevelopment of Milton hospital will finally occur.

Hon. Deborah Matthews: I would have loved to have seen that passion when his party was in power. I can tell you that for the first time ever, our government introduced ReNew Ontario, a five-year, \$30-billion infrastructure plan. We've seen more than 100 major hospital initiatives under way. We've increased health care spending—I know the party opposite wants to cut health care spending, but we have increased health care spending. In Milton alone, at Halton Healthcare Services—a 60.4% increase in base funding since 2003. Halton Healthcare Services received over \$3 million in growth funding. The Oakville-Trafalgar hospital, which I know is not located in your riding but benefits people who live in your riding—the largest redevelopment project in Ontario's history. It will improve health care for your constituents.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: Ma question est pour la ministre de la Santé et des Soins de longue durée.

Last year, on December 16, the then Minister of Health announced that, starting in January 2009, the cost of a prostate-specific antigen test, a PSA test, performed at a community lab will be covered under the Ontario health insurance plan when ordered by a primary care provider. Yet, one year later, when men go to their community labs, they often are asked to pay out of pocket. It's \$30 in Kitchener, \$50—it's actually \$70 in my community.

Why did the government allow men to believe that the PSA would be covered when, really, it's not always the case?

Hon. Deborah Matthews: We are expanding access to the PSA test. We're making it easier for men to get tested. This year, all men who meet PSA clinical guidelines are able to have that test paid for by OHIP at a community lab or in hospitals.

Doctors and nurse practitioners follow specific criteria, known as clinical guidelines, to determine which patients qualify for an OHIP-funded PSA test. A number of different factors influence the health care provider's decision to request an OHIP-insured test. It's very

important that men talk to their health care provider to find out if that PSA test is right for them.

The Speaker (Hon. Steve Peters): The time for question period has ended.

ANNUAL REPORT, AUDITOR GENERAL

The Speaker (Hon. Steve Peters): I beg to inform the House that today I have laid upon the table the 2009 annual report of the Auditor General of Ontario.

NOTICE OF DISSATISFACTION

The Speaker (Hon. Steve Peters): Pursuant to standing order 38(a), the member for Renfrew–Nipissing–Pembroke has given notice of his dissatisfaction with the answer to his question given by the Deputy Premier concerning the actions of the Ministry of Labour. This matter will be debated tomorrow at 6 p.m.

There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1137 to 1300.

MEMBERS' STATEMENTS

FIREFIGHTERS

Mr. John O'Toole: I'm pleased to rise today and pay tribute to one of my constituents, firefighter Mike Maier. He received the Ontario Medal for Firefighter Bravery a week ago last Friday here at Queen's Park. This medal recognizes the exemplary courage and bravery of police and firefighters.

Firefighters Mike Maier and James Gale pulled their fallen captain from the basement of a burning apartment building in July 2008. The firefighters, along with their captain, were investigating smoke in the building. When the apartment was rocked by a massive explosion, firefighters Maier and Gale escaped, but their captain was still inside. Both firefighters returned to the burning building, at first using a hose to extinguish the fire. Then they moved beyond the range of the hose to locate their injured captain and carry him to safety.

I would like to pay tribute to both firefighters and their colleagues at Toronto Fire Services. It was my privilege to commend firefighter Mike Maier on behalf of the citizens of Durham and to attend the ceremony where he received the medal of bravery.

STUDENT ACHIEVEMENT

Mrs. Carol Mitchell: I rise today to talk about an exciting program through the Ministry of Education that has made a significant impact in my riding. Students in the communities of Clinton, Kincardine and Port Elgin now have more opportunities for hands-on learning thanks to the government's growing specialist high skills

major program. These specialist majors allow students to focus on a career path that matches their skills and interests.

At Kincardine District Secondary School, students will now have access to the construction major program, which involves seven special certification courses and contextualized classroom work, with a co-op placement which will give students a leg up in the job market in the integral construction trades industry.

Saugeen District Secondary School in Port Elgin will be among the first schools in the province to offer a majors program focusing on the energy sector, which provides great synergy for the community that has such a large energy presence with the Bruce nuclear plant.

St. Anne's Catholic Secondary School in Clinton, which has already been successful in implementing the agricultural high-skills major at the school, has also added an arts and culture major for this school year.

With the emphasis on the co-op component of the major, there is also a significant community presence needed to make the program work, and so far, several local companies have taken on this role, including Bruce Power, the local municipalities, Tim-br Mart, the Construction Safety Association of Ontario and the local carpenters' union. Congratulations to all.

VICTIMS OF CRIME

Mr. Ted Chudleigh: Patricia Marshall and her daughters had their privacy and security violated by a young man who admitted to masturbating while peeping through a window of their home. Above and beyond this horrible experience, the Marshalls had their victim rights violated by a senior crown attorney and were abandoned by Ontario's justice system. Without informing the Marshalls, the crown withdrew charges against the young man. The crown did not proceed on a lesser charge. The crown did not even ask for a peace bond to ensure the Marshalls' security and the young man's rehabilitation.

Today, the Marshalls have cameras pointed at their house and they are taunted. Their concerns remain unanswered. The police had a properly obtained confession and videotaped evidence upon which they laid a charge, yet the crown decided to throw this aside and allow the young man to walk free without repercussions. Patricia Marshall and her family were tossed to the sidelines of justice.

At the same time, the Attorney General said he takes this issue very seriously, but he did nothing to address the Marshalls' horrendous situation except to tell them to go to the police if they were re-violated. The Marshalls have gone to the police, but they have heard nothing of late regarding their ongoing concerns. We have heard that the hands of the police have been cuffed in regard to the Marshalls' concerns.

This situation has set a horrific precedent for victims in Ontario. I would like to state my opposition to the abhorrent manner in which the Marshalls have been treated and the empty words provided by this Liberal government.

MERV SMITH

Mr. Kevin Daniel Flynn: It's with great sadness that I rise today to inform the House of the passing of Merv Smith. Merv passed away last week after a battle with multiple myeloma, a rare blood cancer that represents only 1% of all cancers and 2% of cancer deaths.

When I first met Merv, he spoke of the advances in the medical treatments that were available to those afflicted by this disease. He spoke of the hope that some day in the near future, multiple myeloma will become chronic rather than fatal. Over the course of the last two years, Merv had received several of these treatments. One of them was a drug called Revlimid, approved by Health Canada but, at that time, not funded in Ontario.

Merv, who moved to Oakville in 1981 from the birthplace of medicare out west, was spurred into action to rectify this situation. He petitioned the Ontario government and the Ministry of Health and Long-Term Care to approve funding for the drug, and he was successful. Those who knew Merv would say that he did this as a matter of fairness, believing that people should not have to choose between bankruptcy and obtaining medical treatment.

After the decision was made to fund the drug in Ontario, he didn't stop, and this demonstrated that there was just never any quit about him. He began to coordinate efforts throughout the country in an attempt to ensure that no matter where you lived, no matter who you were, treatment would be available.

His fight for fairness is an example to us all. The world needs more Merv Smiths.

TAXATION

Mr. Garfield Dunlop: I want to talk about some things that happened in my riding this weekend. I actually had two breakfast meetings, three Santa Claus parades, two art gallery receptions, one food bank drive, two municipal Christmas parties, a manufacturing plant Christmas party and a volunteer breakfast, and the common topic throughout all of the parties, at all the organizations of different backgrounds, was the implementation of Dalton McGuinty's HST. I came across nobody in the hundreds and hundreds of people I met who supported a harmonized sales tax. They are very, very deeply concerned with what is going to happen to their pocketbooks. It is absolutely a tax on the consumer.

I can't understand why we're forcing this bill through this Legislature, why there have been virtually no committee hearings outside of this Legislature at standing committee, and yet we're going to force this tax on the citizens of the province of Ontario.

I would like to say to the members opposite, you had better start covering your heads, because you know what? You've seen the polling. We're already ahead by double-digit numbers as a result of this. You may sit over there and laugh all you want, but the reality is that you are going to wear this in the next election. You're going to

wear it very seriously, because the general population is absolutely opposed to the harmonized sales tax being implemented here in the province of Ontario.

HUMAN RIGHTS

Mr. Peter Tabuns: I rise to add my voice to the call of federal New Democrats asking Canada to pressure Uganda to immediately withdraw the anti-homosexuality bill introduced in its Parliament in October. The bill is a violation of human rights and of international agreements and threatens the civil rights guaranteed in the Ugandan constitution.

I'm bringing forward the words of Bill Siksay, our federal New Democrat critic for gay, lesbian, bisexual, transsexual and transgender issues. He informs people that, among other things, the bill seeks to imprison anyone who fails to report the identities of people they know to be gay or lesbian, and it would impose life imprisonment on anyone who "commits the offence of homosexuality." "Aggravated homosexuality," defined in the bill as a situation where one partner is HIV-positive, is punishable by the death penalty.

I agree with Mr. Siksay that Canada needs to speak out clearly and unequivocally against the proposed anti-homosexuality bill. Mr. Siksay is quite correct when he says the bill "represents an extremely dangerous affront to human rights and AIDS/HIV policy, and must be denounced and stopped."

I have tremendous respect for the people of Uganda. Their recent history has been one of trial after trial. The government's introduction of this bill is unworthy of that nation.

1310

RENEWABLE ENERGY

Mrs. Liz Sandals: We all know that climate change is one of the most important emerging issues, and Ontarians want their government to be a leader in producing cleaner, more sustainable energy sources.

The McGuinty Liberals are committed to becoming a North American leader in sustainable energy production, cleaning up the air we breathe and creating green-collar jobs. We believe the official opposition parties' support of dirty coal is not acceptable. Ontarians deserve better, and through the Green Energy Act we are creating the value-added jobs Ontarians want and the energy sources we need. For example, the First Light solar park, located in the picturesque town of Stone Mills, is the largest commercial solar farm operation in Canada. It will generate enough electricity to power 1,000 homes in the first year alone. This is equivalent to taking almost 1,800 cars off the road. In 2003, when we came to government, Ontario produced only 15 megawatts of wind power generated by just 10 wind turbines. Now Ontario has over 1,100 megawatts of wind power generated by over 670 turbines. These solar and wind energy projects

underscore our government's commitment to harnessing the sun—

The Speaker (Hon. Steve Peters): Thank you.

TAXATION

Ms. Helena Jaczek: Our government has been working hard to make sure that Ontarians understand how the HST will benefit them. We know that some Ontarians, like the Police Pensioners Association of Ontario, have concerns about the HST, but I'd like them to know that our tax reform package includes many tax cuts and credits that will benefit them. For instance, they will receive Ontario property and sales tax credits of up to \$1,025, and we are doubling the senior homeowners' property tax grant to \$500. On top of that, 93% of Ontarians will receive a tax cut, and 90,000 low-income individuals will no longer have to pay provincial income tax. We have created point-of-sale tax exemptions on items as such basic groceries, most health services and prescription drugs. For example, a senior with a \$20,000-pension income will actually save \$175 in the first year alone when all of these tax cuts and credits are taken into account.

I would like to reassure Ontario's seniors that our tax reforms will actually help keep more money in their pockets. I applaud the Premier and our ministers for helping Ontario's seniors.

TAXATION

Mr. Dave Levac: The opposition has put forward myths regarding the HST, and I would like to try to clarify some of those myths that have been perpetuated. For instance, the opposition incorrectly claims that a report by respected economist Jack Mintz cost \$700,000 to commission. In fact his report, which says the HST will create almost 600,000 new jobs in Ontario, was commissioned at a cost of only \$9,000. There's a big difference between \$700,000 and \$9,000. The opposition also incorrectly claims that the HST will cost seniors \$2,863 more per year; this is not correct. For example, a senior with a pension income of \$20,000 will experience a positive net impact of \$175 in the first year, when you take into account the entire budget, including the income tax cuts, the sales cuts and the credits.

But that's not all the opposition spreads myths about. Nine Conservative members are on record as supporting the HST. For example, the member from Leeds–Grenville, Mr. Runciman, once said that his party is supportive of harmonization and that the HST “is something we think should occur,” not to mention that the Leader of the Opposition, Mr. Hudak, who had two opportunities to vote against the HST, didn't do it either time.

I think it's time for the opposition to start being straight up on how our tax reform package actually affects us. We need to demyth the information about the—

The Speaker (Hon. Steve Peters): Thank you.

INTRODUCTION OF BILLS

ONTARIO ENERGY BOARD AMENDMENT ACT (DOOR-TO-DOOR ELECTRICITY RETAIL), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA COMMISSION DE L'ÉNERGIE DE L'ONTARIO (VENTE D'ÉLECTRICITÉ AU DÉTAIL PAR VOIE DE DÉMARCHAGE)

Mr. Brown moved first reading of the following bill:

Bill 230, An Act to amend the Ontario Energy Board Act, 1998 to prohibit door-to-door retail of electricity /
Projet de loi 230, Loi modifiant la Loi de 1998 sur la Commission de l'énergie de l'Ontario afin d'interdire la vente d'électricité au détail par voie de démarchage.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1315 to 1320.

The Speaker (Hon. Steve Peters): Members, please take your seats.

All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Bailey, Robert
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Best, Margaret
Bisson, Gilles
Brotten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Carroll, Aileen
Chudleigh, Ted
Colle, Mike
Crozier, Bruce
Delaney, Bob

Dickson, Joe
DiNovo, Cheri
Dombrowsky, Leona
Elliott, Christine
Flynn, Kevin Daniel
Gerretsen, John
Hampton, Howard
Hardeman, Ernie
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Kular, Kuldip
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit

Matthews, Deborah
Mauro, Bill
McNeely, Phil
Meilleur, Madeleine
Mitchell, Carol
Moridi, Reza
O'Toole, John
Ouellette, Jerry J.
Pendergast, Leeanna
Qaadri, Shafiq
Sandals, Liz
Savoline, Joyce
Smith, Monique
Sousa, Charles
Tabuns, Peter
Yakabuski, John
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

The Clerk of the Assembly (Ms. Deborah Deller):
The ayes are 51; the nays are 0.

The Speaker (Hon. Steve Peters): I declare the motion carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement?

Mr. Michael A. Brown: Thank you very much. This bill amends the Ontario Energy Board Act of 1998 to prohibit the retailing of electricity by means of door-to-door solicitation. A contract for the provision of electricity has no effect if it is entered into as a result of door-to-door solicitation by the retailer.

MOTIONS

ORDER OF BUSINESS

Hon. Monique M. Smith: I seek unanimous consent to put forward a motion to arrange proceedings for the debate of orders for concurrence in supply to be held on Tuesday December 8, 2009.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Interjections.

Hon. Monique M. Smith: He always has been, the member for Brant. I move—

Interjections.

Hon. Monique M. Smith: I withdraw.

The Speaker (Hon. Steve Peters): Thank you.

Hon. Monique M. Smith: I move that when the orders for concurrence in supply for the various ministries, as represented by government orders 31 through 41, inclusive, are called, they shall be debated concurrently; and

That two hours be allotted to the debate, divided equally among the recognized parties, at the end of which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of each order for concurrence; and

That any required divisions on any of the orders for concurrence in supply shall be deferred to deferred votes, such votes to be taken in succession with one five-minute bell.

The Speaker (Hon. Steve Peters): The members have heard the motion. Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

PETITIONS

TAXATION

Mr. John O'Toole: It's a long time waiting to have my voice heard on Bill 218. I have a petition on it, and these are coming in by the thousands. I am going to read it as follows:

"To the Legislative Assembly of Ontario:

"Whereas Premier ... McGuinty is increasing taxes yet again with his new 13% combined sales tax, at a time when families and businesses" in Ontario "can least afford it;

"Whereas, by 2010, Dalton McGuinty's new tax will increase the cost of goods and services that families and businesses" use and "buy every day. A few examples include: coffee"—they've changed their mind on that one—"gas for the car, home heating oil and electricity; health services, haircuts, dry cleaning and personal grooming; home renovations and home services; veterinary care and pet care; legal services, the sale of resale homes, and funeral services;

"Whereas Dalton McGuinty promised he wouldn't raise taxes in the 2003 election. However, in 2004, he brought in the" now-dreaded "health tax, which costs upwards of \$600 to \$900 per individual. And now he is raising our taxes again;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That ... Dalton McGuinty ... wake up to Ontario's current economic reality and stop raising taxes on Ontario's hard-working families and businesses."

I'm pleased to sign and support this and pass it on to Maggie on one of her last days here at Queen's Park.

RAIL LINE EXPANSION

Ms. Cheri DiNovo: A petition to the Legislative Assembly of Ontario:

"Whereas Metrolinx, an agency of the government of Ontario, is planning an eightfold expansion in diesel rail traffic from 50 trains per day to over 400 trains per day in the Georgetown corridor, which cuts through west-end neighbourhoods including Liberty Village, Parkdale, Roncesvalles, the Junction and Weston; and

"Whereas this expansion will make this the busiest diesel rail corridor on the planet; and

"Whereas exhaust from diesel locomotives is a known danger to public health, linked to cardiovascular disease, respiratory disease, cancers and premature death; and

"Whereas diesel exhaust poses an especially potent danger to children and the elderly; and

"Whereas diesel trains are harmful to the environment and contribute to climate change and are also heavy, loud and disruptive to neighbourhoods and local quality of life; and

"Whereas over 250,000 people live within one kilometre of this line and 30,000 children attend one of more than 200 schools within one kilometre of the tracks;

"Therefore we, the undersigned"—over some 7,000 signatures here—"are concerned citizens who urge our leaders to act now to ensure that the rail expansion in the Georgetown south rail corridor, including the air-rail link, be electrified from the outset and that there be no further expenditure on diesel technology."

I couldn't agree more, and I'm going to affix my signature and give it to Nicolas to be delivered.

PUBLIC TRANSIT

Mr. Mike Colle: A petition to stop the violence on public transit:

"Whereas too many innocent people are being victimized by acts of violence while using public transit" every day; and

"Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

"Whereas we need to send a strong message of zero tolerance for violence on public transit; and

"Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

"Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

"We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support ... private member's bill ... to crack down on violence on public transit."

I support this petition and affix my name to it.

TAXATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for haircuts, funerals, gym memberships, lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I wholeheartedly agree with this petition, and I will give it to page Jordan.

EMPLOYMENT INSURANCE

Mr. Mike Colle: I have a petition asking for fairness for Ontario's workers.

"To the Legislative Assembly of Ontario:

"Whereas the federal government's employment insurance surplus now stands at more than \$54 billion; and

"Whereas over 75% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

1330

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus" unemployed are "not qualifying for many retraining programs;

"We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end the dis-

crimination and unfairness towards Ontario's unemployed workers."

I support this petition and affix my name to it.

TAXATION

Mr. Ernie Hardeman: I have here a petition that comes from my riding from the village of Tavistock, signed by what appears to be almost every constituent in Tavistock. It is to the Legislative Assembly of Ontario.

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature as I wholeheartedly agree with this petition.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: Today, I have decided to present 6,000 names from a petition to ask for PET scanning for northeastern Ontario, and they come from all of the ridings of northeastern Ontario. It goes as follows:

"Whereas the Ontario government is making positron emission tomography, PET scanning, a publicly insured health service.... ; and

"Whereas, by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition and will affix my name to it and send it to the clerks' table with page Samuel.

MENTAL HEALTH SERVICES

Mr. Bill Mauro: I've got a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas we currently have no psychiatric emergency service at the Thunder Bay Regional Health Sciences Centre in Thunder Bay, Ontario;

"We, the undersigned, petition the Legislative Assembly to support the creation of a psychiatric emergency service in emergency at the Thunder Bay Regional Health Sciences Centre in Thunder Bay, Ontario."

I support this petition and affix my name to it.

TAXATION

Mr. Robert Bailey: This petition is from the residents of Bruce-Grey-Owen Sound.

"To the Legislative Assembly of Ontario:

"Whereas the residents of Bruce-Grey-Owen Sound do not want a provincial harmonized sales tax that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

"Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

That's from the residents of Bruce-Grey-Owen Sound.

PUBLIC TRANSIT

Mr. Mike Colle: I have a petition along with the Amalgamated Transit Union in support of ending violence on public transit.

"Whereas too many innocent people are being victimized by acts of violence while using public transit; and

"Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

"Whereas we need to send a strong message of zero tolerance for violence on public transit; and

"Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

"Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

"We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support ... private member's" Bill 151 "to crack down on violence on public transit."

I support the Amalgamated Transit Union and their petition and affix my name to it.

HOSPITAL FUNDING

Mr. John O'Toole: I'm pleased to be able to stand again for the constituents in the riding of Durham and read one of the many petitions. This group of petitions is important. It reads as follows:

"Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health" hospital in Bowmanville; and

"Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville's hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

"Whereas Clarington is a growing community of over 80,000; and

"Whereas we support the continuation of the Lake-ridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

"Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government take the necessary actions to fund our hospitals equally and fairly." Furthermore, they request that the clinical services plan—now we're talking the second phase—of the Central East local health integration network address chronic underfunding and the need for the Bowmanville hospital to continue to offer a complete range of services appropriate to a growing community like Clarington.

I'm pleased to sign and endorse this on behalf of the constituents and to pass it to Alana.

TAXATION

Mr. Robert Bailey: I rise again to present this petition.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

"This new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services not previously subject to provincial sales tax, including," but not excepting, "electricity, home heating oil and gas at the pump; haircuts, magazines and Internet; home renovations, heating and air-conditioning repairs; accounting, legal and real estate fees; condo fees and new home sales; rents will also go up; minor hockey registration fees will increase; green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I agree with this and affix my signature to this Sarnia-Lambton petition and send it down with Hadhy.

1340

TAXATION

Mr. Ernie Hardeman: I have a petition here signed by a great many of my constituents in Oxford.

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I affix my signature as I agree with this petition.

SALE OF DOMESTIC WINES AND BEERS

Mr. Robert Bailey: I rise again. This petition is from the Ontario Korean Businessmen's Association.

"Say Yes to Beer and Wine Sales in Convenience Stores.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario restricts the sale of beer and wine to the LCBO, a few winery retail stores and the Beer Store, and the three large beer companies are owned by multinationals;

"Whereas other provinces (notably Quebec) have been selling beer and wine in local convenience stores for many years without any harm to the well-being of the public;

"Whereas it is desirable to promote the sale of beer and wine in a convenient manner.... ;

"Whereas it is essential to support local convenience stores for the survival of small businesses;

"Whereas it is obvious from the current market trends that the sales of wine and beer in convenience stores is not a question of 'if' but 'when';

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Liquor Control Act to permit the sale of beer and wine in local convenience stores to the public throughout the province and to do it now."

ORDERS OF THE DAY

ANIMAL HEALTH ACT, 2009

LOI DE 2009 SUR LA SANTÉ ANIMALE

Mrs. Dombrowsky moved third reading of the following bill:

Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d'autres lois.

The Speaker (Hon. Steve Peters): Debate?

Hon. Leona Dombrowsky: I will be sharing my time this afternoon with the member from Haliburton-Kawartha Lakes-Brock, who has spent a great deal of time considering this bill and talking to Ontarians about the importance of the bill, as well as understanding ways that we can improve it, and I think that we have done just that.

I really am very privileged to bring this bill before the Legislative Assembly, as it is a bill particularly focused on supporting the agriculture industry in the province of Ontario, most specifically protecting animal health.

I do want to spend just a few moments today talking about the consultation process that has been under way, not just in recent weeks but really over the course of a number of years. I know that my parliamentary assistant, the member from Haliburton-Kawartha Lakes-Brock, is also going to talk a bit about the consultations that he has worked very diligently on with many of our colleagues in this assembly.

I'm sure that Ontarians may not be aware of the significance of the agriculture and poultry sector to the economy of Ontario, but in fact, it does generate \$4.45 billion in farmgate activity each year. That is money that is generated largely in rural Ontario. Obviously, it is what keeps rural Ontario alive and well and thriving.

We also have the largest poultry industry, the second-largest swine and dairy industries, and the third-largest beef industry in Canada. So while there are other provinces that are significant agricultural contributors, Ontario plays a very key role when it comes to the production of poultry, swine and cattle.

The presence of disease in any of these sectors can have very, very serious consequences—obviously for the farmers, for the communities where they live, but also for the economy of the province of Ontario.

The proposed legislation that we have brought forward, that has been debated, that we have consulted on, does provide measures to assist in the detection, the prevention, the response to and the control of animal diseases and other hazards. So while it specifically focuses on animal disease, there is also part of the bill that talks about other hazards; animal feed, for example.

It also includes a framework for a traceability system that would enable us to track food from the field to the

fork and will fit with any national traceability framework that may be developed. I think that's very key. The province of Ontario wholeheartedly supports a traceability system. I can say to you that from my experience at the federal-provincial-territorial ministers' table, ministers of agriculture from across Canada believe that we need a national traceability system in place. We also believe that the federal government would have a key role in supporting farmers in enabling this system.

So what we have done with this legislation is put in place a framework so that when the federal government does move forward with a national traceability system, we are ready to support our industry with framework legislation that will enable us to engage the federal traceability system.

We believe this is key. As we continue to work and press the point with our federal government partner, we do look forward to the federal government supporting a national traceability system, which is what has been asked for by other provinces right across Canada. We know that traceability will contribute to Ontario's ability to demonstrate to both domestic and international markets the integrity of our food product. We in Ontario know that we're very confident in our food—that it's safe, and the security of our food system is in place. We know that when we have a national traceability system in place, it will make our quality product even more marketable internationally.

With respect to consultations, we have been consulting with our stakeholders for three years, and we thank our stakeholders, who have, I think, really done an excellent job bringing us the information around what we should do and where we should go with respect to legislation. As a result of that three-year engagement, we have been able to bring forward Bill 204, a very comprehensive piece of legislation. This is a result of the work we've done with our industry stakeholders.

Again, in June of this year we posted the proposed legislation on the Environmental Bill of Rights registry, a very public registry where we invite our partners to look at what we're thinking of doing and provide us with comments about how they think we should move forward and where they think we might improve the document, and we listen to them. We received over 30 submissions from different organizations in response to those postings.

We will continue. We are now at third reading. We have listened; we have made changes. We thank everyone in this Legislature for all the input they have had to this important piece of legislation, and we commit that we will continue to work with our partners as we move forward, as we build regulations around this legislation.

Speaker, I thank you very much for the opportunity I have here today on third reading debate to speak to the fact that I believe we have had a good discussion across the province. I'm going to ask my assistant, Rick Johnson, who shepherded the bill through the committee process—I know he has some comments he would like to make as well on this legislation.

I especially want to thank all the agriculture stakeholders in the province of Ontario. They've taken this

piece of legislation seriously. They've come forward; they've been very supportive, very helpful as we drafted it and since then as we have considered amendments to it. If this bill is passed, I believe that the farmers of Ontario will be most grateful and very well served with this piece of legislation.

The Speaker (Hon. Steve Peters): Further debate?

Mr. Ernie Hardeman: I'm pleased to rise today to speak to Bill 204, the Animal Health Act. I want to start by thanking the agricultural organizations that appeared at the committee hearings to share their thoughts on this bill. A number of them had really good comments about where the government had missed the mark and what needed to be improved, and I appreciated the time and thought they put into analyzing the bill.

As we all know, traceability is something that stakeholders wanted and were looking for in this bill. The stakeholders were hopeful that this bill was going to contain more of that. In fact, I think a lot of people were disappointed to find that all it contained is the ability to set something up later by regulation.

Stakeholders were also hopeful that the government was going to work with them to ensure that this act works; hopefully that organizations would not just be consulted but listened to and that their concerns would be addressed. Instead, the government forced the bill through on time allocation, which cut off second reading debate; limited committees to one day in Toronto with very short notice; and limited third reading debate to 20 minutes per party. I want to point out that with the short notice for committee hearings, the only people who appeared were agricultural organizations that have full-time staff who are able to watch and keep an eye on these issues. By the time the average farmer learned that the date of the committee hearings was set, the hearings were over.

During second reading debate, I raised that concern. This government often claims they want input and then refuses to listen or accept any opposition or third party amendments.

1350

During the debate, the parliamentary assistant for agriculture stated, "I appreciate the comments of the members from Oxford and Kenora-Rainy River, particularly the member from Oxford. I appreciate the experience that he brings to the debate, and I also appreciate that he has made some suggestions instead of just simply criticizing."

I thank him for those kind comments. He really tried to make it sound like he was listening, but what's the point of having a real debate or putting forward good, constructive amendments when the government just ignores the input and votes down every single amendment?

We tried to work with the government to make this a piece of legislation that would really work for the farmers because we recognize how important this issue is. We recognize that agricultural organizations want a traceability system, and we recognize that farmers already have too much unnecessary paperwork and red tape.

In fact, during the committee hearings, the Ontario Federation of Agriculture said, "Farmers, however, are already subject to considerable administrative and reporting responsibilities. These administrative responsibilities carry with them costs that are not necessarily reflected in the price received by farmers."

I want to remind the Legislature that, during second reading debate, I also raised concerns that this act would create more red tape for farmers, and I gave the example of the fact that it allowed new licensing and permits. The member from Lambton-Kent-Middlesex responded and said: "There are a few things I want to remind the member of. You were talking about the licensing. We are repealing three acts and incorporating them into this one, including the Livestock Community Sales Act. When I look at page 9, when you talk about section 12, and I read through it, I see licensing as it relates to livestock yards and the ability to repeal, take away, or refuse to license those types of entities. I think that's appropriate inside this act, since we are, as I say, bringing three other acts into this one as well."

I understand the member's argument, that if the government is repealing acts in which there are licences that serve a purpose, the new act that is introduced should contain that ability to license.

There is nothing in her argument or the arguments from any government members that explained the need for more licences. So based on the debates in this Legislature, the PC caucus introduced the following amendment:

"I move that clause 63(3)(a) of the bill be struck out and the following substituted:

"(a) prescribing activities for which a licensed certificate, registration or permit is required, provided the activities are ones for which a licence, certificate, registration or permits are required under the Bees Act, the Livestock Community Sales Act and the Livestock Medicines Act as those acts read immediately before they were repealed."

This would restrict the licensing and permits allowed under the new act to those that were required under the old act. Remember, this is why they claimed they needed the ability to create new licences, certificates and registrations. I'm disappointed to have to report that the Liberal members voted that amendment down in spite of what they said in this Legislature. Apparently, they already know they are planning to put more licences and permits in place; they just don't feel the need to share the details with us here or with Ontario's farmers.

It concerns me that perhaps we have more things that they are planning to implement later by regulation. In this bill, the McGuinty government has given themselves the ability to do a huge amount behind closed doors through regulations. In fact, during the committee hearings, they tabled several amendments that allowed them to redefine words through regulations. To me, if you're looking for a definition of a word, usually you look in the Oxford dictionary, and not just because it shares the name of one of the greatest ridings in Ontario. Allowing the minister

to change the definition of a word behind closed doors means that she is able to change the meaning of the act, such that the impact is very different from what was intended when the members of this Legislature voted on it.

For instance, there is an amendment that gave the minister the ability, through regulation, to define what is a hazard. I asked the ministry staff who were present whether this meant the regulations would be changed to include animal welfare. He said, "For this provision, the definition of 'hazard' can include anything that the Lieutenant Governor in Council prescribes as being a hazard." When asked again, they admitted that, yes, animal welfare could be included.

I want to make it clear that I think we need animal welfare rules, but one of the things that the agricultural organizations were clear on is that those rules exist in other acts. If we want changes to those rules, the correct way to do that is by modifying those acts, not by adding new rules to this one. We already have too many places where there is more than one act or more than one ministry setting standards on the same thing, and it simply leads to confusion and frustration for people who are doing their best to follow the rules.

One of the things that the stakeholders asked for during the committee hearings was to ensure there wasn't duplication on traceability, so that if a commodity was better suited for a national or international traceability system, they weren't forced to do two sets of paperwork to comply with the provincial system as well. We moved an amendment that said, "The minister may make regulations exempting agricultural operations or sectors from the requirements of the provincial traceability system if the operations or sectors are subject to national or international traceability systems that, in the opinion of the minister, provide safeguards equivalent to or better than the provincial traceability system." This means that if a commodity already has a traceability system and the minister finds that it provides at least the same level of protection for food safety and animal health, then she would have the ability to say that these farmers do not need to complete two sets of paperwork.

For instance, Ontario cattlemen are part of the national Canadian identification system, the CCIA, which is industry-led and supported by the Canadian cattle industry. Once the minister establishes our provincial traceability system requirements, wouldn't it just make sense to exempt the cattlemen, if the CCIA is just as good? How is there any benefit from requiring farmers to fill out two sets of paperwork and meet two sets of protocol? Again, it was an amendment that was requested by the stakeholders; again, it was a common-sense amendment; and again, the Liberal members of the committee voted it down.

Another thing the stakeholders asked for in their submission on the draft legislation, and again at the committee hearings, was to strengthen the section on compensation to ensure that there was no cost to the farmers. The National Farmers Union said, "Destruction of

livestock could mean a complete loss of livelihood for farmers, and if compensation is discretionary, it could well create a situation whereby well-meaning farmers might be afraid to come forward with disease concerns." If a farmer is ordered to destroy his herd for the public good, shouldn't the public compensate him for that? While the legislation allows for compensation, it leaves it to the minister's discretion to say that he or she "may" provide compensation.

During their committee presentation, the Christian Farmers Federation of Ontario said, "The CFFO recommends that compensation under the Animal Health Act be mandatory for producer loss. The protection of the broader public and/or a commodity sector should not be borne by an individual operation at the discretion of government." The Liberal members of the committee voted down our amendment to make compensation mandatory. They voted down our amendment that would create an appeals process for compensation, as requested by the Ontario Farm Animal Council.

I believe it's important for all of us to listen to the concerns of the stakeholders. That is why I introduced a motion, as requested by the stakeholders, that would have required the minister to establish an industry advisory committee, but unfortunately, the Liberal members on the Legislative Assembly committee voted that down too.

This amendment illustrates the problem with time allocation. The parliamentary assistant, on behalf of the government, said that the problem he had with my amendment was that it needed an 's' on the word 'committee.' Because of the time allocation, even simple changes like that aren't an option. By setting the deadline for when amendments have to be filed, the members are prevented from taking two different amendments and combining them during the committee to get the best possible legislation.

The government introduced a motion on the same topic, and the parliamentary assistant made a big deal about the fact that it included changing the word "may" to "shall." For those of you who are watching from the galleries and at home, the difference is usually that "may" means the minister has the ability to do it if she so wishes, and "shall" requires her to do it. However, what he failed to mention is that their amendment said that the minister "shall establish such committees as the minister considers appropriate," which means there's really no requirement to establish committees to consult at all.

Previously, the minister had been allowed to set up committees by regulation. In fact—let's be honest—there was never anything stopping the minister from setting up a committee. What the stakeholders asked for was that the committee be mandatory. What they got was more smoke and mirrors.

The Liberal members of the committee also voted down an amendment that would remove the current restriction that says the chief veterinarian must be an employee of the ministry. The purpose of the amendment was to ensure that we had the most qualified person for the job, regardless of where they came from. We also

moved an amendment that would require the chief veterinarian to have worked in a practice that includes farm animals. This is an amendment that the Ontario Farm Animal Council asked for during the committee hearings. They said, "Given that the act will have the greatest impact on the province's agriculture sector, qualifications for the Chief Veterinarian of Ontario and for the deputy chief veterinarian of Ontario should be mandated to have farm animal veterinary experience."

1400

To me, that just makes sense. We are entrusting the chief veterinarian to make decisions that will have major impacts on individual farmers, the agricultural sector and even the provincial economy. I believe, as do many of the agricultural organizations such as the Ontario Livestock and Poultry Council, that it is responsible to ensure that the person has experience with farm animals. But the government members, again, voted down that amendment.

Another one of the amendments that seemed like common sense was the change to the time frame for giving farmers written copies of an inspector's orders. The way the act is currently written, inspectors can issue an order orally when to issue it in writing would cause a delay. Given the fact that this act is designed to deal with emergency situations, I think we can all understand the need to be able to give an oral order. However, presently the act gives the inspector up to seven days to deliver the order in writing. There are two problems with this. First, if there is an urgency to the situation, the order probably would require the farmer to do something or stop doing something sooner than in seven days.

The other problem is that, according to the act, the farmer has seven days to appeal the order. If the inspector takes the full seven days to deliver the written order, it would be impractical, if not impossible, for the person receiving the order to actually appeal that order before the deadline of the appeal passes. Our amendment would have required that the written order be delivered in two days instead of seven so that farmers would have it in hand and be able to appeal it if they wanted.

I want to read the response from the parliamentary assistant. He said, "Although inspectors are required to issue written orders as soon as practical, the government feels that a two-day mandatory period may not be appropriate in all cases. It ties their hands. We won't be supporting this motion."

The government supports having inspectors deliver written orders in a specific time frame. In fact, they put it in the bill, so the argument that it ties their hands or that the time frame may not be appropriate really doesn't work. The difference of opinion is really about the length of time between when the inspector issues the order orally and when they issue a written order for the same order. We believe that for an appeal to be effective, the farmer must have the information on how to do it before the appeal period expires.

One of the amendments that I was disappointed we didn't have the opportunity to debate because of the

shortness of time was the one that would have removed the "reasonable force" from the bill. As it is presently written, this bill allows people who are carrying out the orders of the chief veterinarian to use reasonable force. Given the nature of orders like this, this likely means veterinarians or OMAFRA employees would be given the right or, worse, be expected to use reasonable force. I was actually looking forward to the debate because I wanted to hear the explanation, and I hoped that the government would see reason and change it. But again, the Liberals on the committee voted it down.

We tabled several amendments that would have restricted the rights of someone to enter private property without a warrant. In a number of pieces of legislation, the McGuinty government has removed the requirement for a warrant, and frankly, I believe that's wrong. People have a right to privacy and due process, particularly when we're talking about their land.

In their presentation to the committee, the Christian farmers said, "The CFFO recommends that the powers of inspectors be limited such that a warrant is required to enter a livestock facility. The reason for this is that the issue of biosecurity is not adequately addressed within this act."

I understand that there are times when time is a factor. As a former firefighter, I know that in emergency situations, time can determine the outcome. Under our amendments, if the inspector believed that there was urgent threat to animal or human health, they could go in without a warrant. If they believed that a delay would result in evidence being lost or destroyed, they could apply for a warrant by telephone. But if an inspector knows that they are going in to make sure that the licence is on the bulletin board, they do not have permission to go in. They must get a warrant to do that, just as any other police officer in this province would have to do if it wasn't under this act.

During the debate in committee on this amendment, the parliamentary assistant said, "Requiring consent or a warrant prior to entering a licensee's premises could frustrate inspection activities."

Clearly this isn't about animal health; this is about piling more red tape on our farmers and hiring more inspectors, something the McGuinty government is very good at. Our farmers don't need more paperwork or more people looking over their shoulders; they need a government that will help them.

Over the course of the debate on this bill, I've talked a lot about red tape and additional costs to farmers. For those who don't know the current situation in agriculture, and unfortunately that seems to include most of the Liberal members in the House, our agriculture industry needs help. A number of organizations have come together to form the Ontario Agriculture Sustainability Coalition to deliver that message. Many farmers who will be affected by this bill, including our hog farmers and cattlemen, are suffering. The market prices aren't covering their costs, and now they're losing money on every animal. There was a lot of media coverage of the hog

farmer that had his hydro shut off this fall and what was going to happen to his thousands of pigs. The federal government stepped in to get the lights on, but the provincial government did absolutely nothing. That farmer, like many others across this province, is still in a dire situation. He still needs our help. They need short-term government support to get them through this crisis. Long-term, they need a government that reduces red tape and unnecessary paperwork. They need a government that will help them be innovative and efficient, a government that will work with them, not against them.

I know that many stakeholders wanted legislation on traceability and animal health, and I'm sorry that on such an important issue the government chose to ram it through without working with us and taking the time to get this legislation right for our farmers. We know that the agriculture industry is vital to the future of our province and contributes greatly to our provincial economy. We also know that they aren't just numbers; they are people and families and are working hard to put food on our tables and provide for our families. They are good people who are trying to follow the rules, protect their land and care for their animals. We have a responsibility to help them succeed, and unfortunately I don't believe that this act is doing that. It doesn't give them the traceability tools they were asking for. Instead, it piles on more red tape and takes away their rights on their own land. That's why, unfortunately, I cannot support this bill.

I do want to say to the government that I believe these issues are important, and I believe that having a good traceability system in place will assist our farmers on trading internationally. So in the future, if you want to address these issues, we are prepared to work with you so we can do that collectively. This bill does not do it. That's why we will be voting against it.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Howard Hampton: I want people at home to know that this is another time allocation process. Instead of having full debate, discussion, public hearings outside of Toronto on what I think is a bill which has some potential importance, debate has been restricted, debate has been time-limited, hearings were time limited, discussion of amendments was time-limited. So therefore the kind of debate that I think many people across Ontario would want to have on legislation such as this is not happening. I'll have more to say on that in a few minutes.

I want people to know that the title of the bill is simply "animal health," Bill 204. But there are a few people in the province who did follow it a bit, and there is some interesting history to this bill.

First of all, there was a discussion paper that came out prior to the bill. The discussion paper talked about the need to have a food traceability system. If you think of the events that have happened in the last few years, the situation with listeria bacteria and meat which was very harmful for people to consume, unfortunately some people died and other people, a number of people,

became very ill. If you think about some of the E. coli bacteria and salmonella bacteria we've seen in the last few years, there was one restaurant in North Bay for sure where there was a very serious problem. There have been serious outbreaks in nursing homes and homes for aged. So there is a real issue here, a real need to have provision for food traceability, particularly where something goes wrong. I would say that people who eat food, and I think that concerns just about everybody in Ontario, have a concern here. I think farmers have a concern here. Food processors have a concern here.

If you read the discussion paper, it would have you believe that the government is actually setting up a food traceability system. But in fact, if you read the legislation, there's only one section that even mentions food traceability, and it doesn't establish a food traceability system. Frankly, it doesn't establish a framework for a food traceability system. All that it says is the Ontario government may—at some time in the future, perhaps—"may" participate in a food traceability system.

1410

I think what people need to understand is that this section on food traceability essentially does nothing. As the law now stands, there is no rule, no regulation, no legislation that would prevent the Ontario government from participating in a federal food traceability system. There's no legislation that says that Ontario couldn't participate in a federal food traceability system. There's no legislation that says that Ontario could not work with, consult with, work co-operatively with the federal government. I'm asked, "What is the effect of this section?" Viewing it in the context, I have to say this section has no real effect. I ask people to consider this.

The discussion paper talks about food traceability. The press releases and the mumbo-jumbo that was repeated when the legislation was introduced would have people believe that there's going to be a food traceability system. But there's only one section of the bill that even mentions food traceability, and all it says is that the government of Ontario may participate with the federal government if the federal government at some future date establishes a food traceability system.

But after the discussion paper and the press releases and the hyperbole from the government, I suspect there may actually be people in Ontario who think that this bill is going to create a food traceability system. I just want people at home to know: Nothing is further from the truth. This bill is not going to do anything. It's not going to establish a food traceability system today; it's not going to establish one tomorrow; it's not going to establish one next week; it's not going to establish one next month; it's not even going to establish one next year.

The federal government can go ahead and create food traceability systems, and Ontario may at that time decide to participate, but Ontario could have decided to participate at that time in any case. So the sum total of this bill, in terms of food traceability: nothing. It does nothing.

I suggest that what's really going on here is that the government wants to give the impression it's doing something. It wants to make an announcement to create the impression it's doing something. But in fact, at a time when we've seen unfortunate deaths and many unfortunate illnesses, not much of anything is being done here.

That may be why the government wanted to use time allocation on this legislation. It would be a situation where a little bit of discussion, a little bit of analysis, a little bit of critique would not have been a good thing, from the government's perspective, because more people would know that not much is being done here.

One of the other things that you'd find in the discussion paper which preceded this bill was a lot of talk about animal welfare. In the discussion paper, there was lots written about how animal welfare is connected to animal health is connected to food products that we eat. Somebody reading the discussion paper would probably come away with the conclusion that this bill is going to do something about animal welfare, which will promote animal health, which will ensure that the food that people eat is safer and better for them.

Again, if you look at some of the announcements that were made and some of the hyperbole that accompanied the introduction of the bill, you'd believe that. You'd believe that, except that when you read the bill, nothing like that is happening. Nothing like that has happened. In fact, animal welfare and its connection to animal health and its connection to safe and nutritious food: If somebody were to read this bill and look for that connection, I have to say to you, you're going to be sorely disappointed. There are just no sections whatever that set that out.

Here again the government has represented two organizations that care about these issues—I'm glad there are a number of organizations that care about them—and they've represented, I think, to the public of Ontario that this is being dealt with and addressed in this legislation. But such is not the case. In fact, as a New Democrat I put forward a number of amendments to take this government up on what it said in the discussion paper. In fact, some of the amendments are almost verbatim out of the discussion paper. The government says it in a discussion paper; they say they're serious about this. They say they're concerned about this. They say this is an important issue for human health. They say this is an important issue for safe food, nutritious food. They say this is an important issue for animal health. So I presented a number of amendments that would take this government up on what it said in the discussion paper.

Imagine my shock and surprise when the government members on the committee voted against every one of the amendments. Imagine. It's in the government's discussion paper. It's in some of the other announcements and speeches that have been given. Somebody who simply reads the headlines from time to time would certainly assume that all of these issues are covered off in the bill. But not only is it not covered off in the bill; when government members were given the opportunity to actually

vote for what the government says in its discussion paper, they voted against it.

I come back to the issue of time allocation again. Why is this bill being time-allocated and rushed through and rammed through? I suspect it's because a little bit of reading, a little bit of thought, a little bit of analysis, a little bit of critique by the general public of what the government said on the one hand and what they are doing on the other in this bill from the government's perspective would not be a good thing, because ordinary people out there might look at it and say, "Well, this is what you said in the discussion paper, but I don't see it in the bill."

Once again, I think the government has gone to great lengths to create an impression that something is being done about animal welfare. The government has gone to great lengths to say to people that there is a connection between animal welfare and animal health and safe and nutritious food and therefore human health, has gone to great lengths to create that impression, except that it's not in the bill, which means it's not in the law.

There is another issue—there are several issues I could raise here but, as I say, my time is limited. I want to deal with one of the others, and that is the issue of, "Whatever happens here, who pays?" The reality is that many parts of the agricultural sector are hurting. I just heard my colleague Mr. Hardeman talk about hog farmers, the whole pork industry, that hog farmers are really hurting. But let me tell you, from my perspective, people who are engaged in beef farming are not doing much better. They were hurt by a number of episodes that happened over the last few years, some of them involving the United States, the inability to sell our beef in the American market and into other markets. Many farmers have simply not recovered from that.

I know, for example, that of people in the grape industry, there may be a few who are doing well but there are many who are hurting. I know also that of those generally involved in horticulture, not all are doing well. So there are a lot of farmers who are struggling.

1420

So one of the questions that a bill like this needs to address and needs to be clear on is, who pays? Let's just assume for a minute that we have another situation like listeria, and unfortunately, the animals of some farmers—through no fault of their own—are identified as being part of the problem, so their livestock have to be destroyed. This is all part of protecting the public; this is part of protecting the public health. But there is a real question here: Who pays? Who pays for what will be a good effort, a positive effort, to protect public health?

The National Farmers Union and other organizations came forward and said: "Look, this is about protecting the public, so there should be some clear provision for public payment. The cost should not fall on this unfortunate producer, that unfortunate farmer. They should not have to pay the full cost or a major portion of the cost of protecting the public." So the National Farmers Union and other organizations asked for some certainty in terms

of cost, who will pay the cost, and in terms of compensation.

I put forward an amendment on that, because if we're really concerned with protecting the public and protecting public health and protecting animal health, recognizing that these are important public responsibilities, then it seems to me there should be some provision for public compensation of producers.

Is there such a provision in this bill? Sad to say, there is not. So we could very easily—in fact, I would say, not just very easily, but it's very likely we're going to end up in a situation where if we have a serious outbreak in the future of some sort of bacteria and an individual producer has to have his herd of livestock or a significant part of his herd destroyed, we're not going to see the kind of compensation that one would say is fair and reasonable and just. Very likely, too much of the cost will fall on individual producers. I think this is wrong, I think it is unfair and I think it is unreasonable.

Where does all this get us? Well, I'm not about to say that this bill is all bad all the time. That's not the position of the New Democrats. There are actually some things in the bill which might do some positive things. There are actually some things in this bill which might do something in terms of protection of animal health. But does this bill live up to its billing? Does it live up to the promotion that appeared in the white paper? Does it live up to the announcements and the press releases and the propaganda which accompanied this bill when it was introduced? No, it doesn't. It falls short in several respects.

After a time when we have seen people in Ontario die as a result of contaminated food, after a time when we've seen people in Ontario rendered very ill as a result of contaminated food, after a time when we've seen livestock producers in Ontario lose their livelihoods, their farms and, in many cases, their life savings because of concerns about animal health and the potential concern for human health, we need to see a food traceability system. I regret to say that this bill doesn't really advance that cause, that project, in a very significant way. It has one section that simply mentions the words "food traceability," but it does nothing more than that.

Second, despite all the discussion about the connection between animal welfare, animal health, and safe, healthy, nutritious food and human health, despite all the discussion about that, there is nothing here on animal welfare. And when the government members say, "Well, there are other bills that deal with that," they should also know that the other legislation that deals with that doesn't deal specifically, directly, with animal welfare and animal health in terms of farming in Ontario. So there are going to be lots of loopholes.

Finally, the issue of who pays: I would just state again that in my view, it seems very unreasonable, very unfair and very unjust to create a situation where the government on the one hand is going to say, "Oh, we're protecting public health," but it's going to be the private farmer, the private producer, who'll end up paying the

cost, or at least the lion's share of the cost. If we're really concerned about public health, if we're really concerned about public safety, if we're really concerned about animal health, it seems to me that we also ought to engage in a process of some public compensation where a livestock producer or some other food producer, through no fault of their own, ends up in a situation where they're going to be hit with most of the cost.

That's why I think, at the end of all this, this has been subjected to time allocation. The government doesn't want a thorough, thoughtful analysis, critique and discussion of how little is being done in this bill as compared to how much was promised in the discussion paper. So, at the end of the day, many people across Ontario may come away with a very, very distorted impression of what's being done here.

Much could have been done with this legislation. Much needed to be done with this legislation. Much should be done with this legislation. But at the end of the day, unfortunately, this legislation is going to be about nine parts public relations, nine parts announcement, and one part actually getting the job done.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Rick Johnson: During the last month, I've had the opportunity to sit in on the consultation process for the proposed legislation. I have learned much about our industry and government partners, and I appreciate the unique points of view and the support that they have shared with regard to this proposed legislation. I was able to participate in these committee hearings, and I would like to report to you what our industry partners said.

As the minister mentioned earlier, we received more than 30 submissions from different organizations detailing their support for, and concerns about, the proposed legislation. We considered all submissions in the development of this bill. In general, from the input we have received, it is clear that this proposed animal health legislation is supported by industry partners and that it would provide the much-needed measures to help us better prevent, detect and respond to animal health issues in Ontario.

This government believes that the feedback and constructive criticisms that we received from our industry partners is important, so based on these consultations, we did make numerous amendments to the proposed legislation. Our industry partners wanted to see put in place an advisory committee to provide advice to the minister or to the Chief Veterinarian of Ontario for any matter related to the proposed legislation. We heard our partners' request, and we responded by including an amendment in the proposed legislation that would require the Minister of Agriculture, Food and Rural Affairs to establish committees—with an “s”—as appropriate, to share advice and provide input on animal health matters to the minister or Chief Veterinarian of Ontario.

Much was made earlier, when the member from the Conservative Party was standing up, about the addition of the letter “s”—and seemingly insignificant. The member

from the Conservative Party proposed in the amendment about adding that the minister “shall” have committees. The difference between the words “may” and “shall”—which was an amendment that we brought forward to make it “shall”—and adding the letter “s” to the word “committee,” means that the minister is expanding the consultations.

1430

What the honourable member of the Conservative Party proposed was that she'll form a committee, which was not the case. We wanted to expand our consultations so that more people could be involved. We've made that to share advice and provide input on animal health matters to the minister or the Chief Veterinarian of Ontario. We believe that although only a letter and two words are changed in that one, it provides huge impact to the industry.

The committee also heard from industry partners that there should be certain qualifications for the Chief Veterinarian of Ontario. The chief veterinarian would also be a key link between animal and human health, with close ties to the chief medical officer of health for Ontario. We agreed to this suggestion, and the legislation has been amended to require that the Chief Veterinarian of Ontario “has engaged in the practice of veterinary medicine for at least five years,” in addition to a requirement that he or she hold a veterinarian licence “without conditions or limitations.”

The shortened timeline that took place was also mentioned earlier. The day we did clause-by-clause on this, we lost 45 minutes due to bell-ringing in the House, which was triggered by the opposition. We lost that time off the bill. We could have had much more time to debate that, and it's unfortunate that they chose to take that route.

Much has been mentioned this afternoon about food traceability and how this bill addresses it. We have spoken to this in the House, and we've spoken to it at committee. It's very common knowledge that the federal government stepped up at a conference last July and said they were going to be putting in place a national animal traceability/food traceability motion. What we have done in this bill is allow the minister to proceed on her own should the federal government drop the ball on this. But we're hopeful that the federal government will step up to the plate and make this happen, knowing that Ontario will be ready to participate in that when it happens.

Animal welfare was also brought up many times; the member from Kenora-Rainy River also just mentioned it. Yes, there were concerns raised by different stakeholders, but we feel that many of these concerns are addressed through the OSPCA, and we're sure that if there are still concerns about that, this would be the proper route to go.

I would also like to mention that we talked about short timelines; it has been mentioned a couple of times by the opposition. The last presenter who stepped up during our consultation period, when being questioned by the member of the Conservative Party about the short timelines of this bill, very clearly stated that he brought up the need

for this type of animal health legislation several years ago—the member was the Minister of Agriculture at the time—and it was never acted upon. He very clearly stated that it was about time it was done; they had been involved in consultations for over three years. I think it's hats off to the ministry for taking the time to get it right.

This proposed legislation sets out a detailed framework for improving our detection of and response to animal health issues in order to better protect our province's animals and people. Should the bill pass, work will still need to be done to develop detailed regulations in several areas, including reporting requirements and traceability. Thank goodness we put the need for committees in that, so that will happen.

I want to assure you that we are committed to developing those regulations in consultation with our industry partners. So many provincial groups have worked hard to get this bill to where it is today. We want to keep working together to make it one of the most effective pieces of animal health legislation in the country.

I would like to thank the staff at the Ministry of Agriculture, Food and Rural Affairs for going above and beyond to make this happen for us.

The purpose of this bill is that when the label says "Product of Ontario," it means the product is to be trusted. That's good for farmers; that's good for Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: I think it's somewhat important that I at least stand and acknowledge the work our critic has done in this file. The amendments were widely discussed in our caucus—Mr. Hardeman has served as Minister of Agriculture, Food and Rural Affairs.

We agreed in caucus that much more could have been done to strengthen and improve the bill. But each of those amendments, moved with the right attitude—which was to improve it—were ignored, which is very disheartening. On that basis, why wouldn't they try to get it right and have traceability strengthened, as was suggested by our critic?

It's on this basis—when I was at an event on the weekend where leaders in agriculture—and the minister has been there; she knows that there are leaders there—were questioning the bill. I said that we're not against food safety and we're for food quality, but this bill just doesn't get it done. So we remain reticently reflecting on the fact that we may have to vote against it, thinking that we, when we're in government, will have a lot of work left to do—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Further debate?

There being none, Mrs. Dombrowsky has moved third reading of Bill 204, An Act to protect animal health and to amend and repeal other Acts. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

I call the attention of the House to the fact that: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Dombrowsky, Bill 204, An Act to protect animal health and to amend and repeal other Acts, be deferred until December 8, 2009"—and it's properly signed by Michael Colle, chief government whip.

Third reading vote deferred.

TIME ALLOCATION

Hon. Monique M. Smith: I move that, pursuant to standing order 47 and notwithstanding any other standing order or special order of the House relating to Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters, when Bill 168 is next called as a government order, one hour shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That there shall be no deferral of the third reading vote allowed pursuant to standing order 28(h); and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Deputy Speaker (Mr. Bruce Crozier): Ms. Smith has moved government notice of motion number 170. Further debate?

Mr. John O'Toole: We've watched and monitored again. This a bill the government has moved, and they're rather intransigent about a certain section in there. This is trying to make the workplace safer.

Let's be clear on the record, right at the beginning, that we're in support of the laudable objective of making our workplaces safer for all. It's in that area where you really get mired down in the detail. In fact, the provisions about collecting information, personal and otherwise, are somewhat suspect. It does place a significant amount of the liability on the employer, which is important. But if the employee, the person who has this unresolved issue—in this case here, an overt safety issue—there are already, under the Employment Standards Act, provisions to actually cease work in the workplace and rightfully be protected by a workplace safety committee. We have committees on hazardous materials in the workplace, and those are all laudable things. In this case here, we're looking at the issue of harassment in its many forms. In many cases, these things should be dealt with—and I find this is where it's saying a lot but it's doing very little. Could they be saying it for all of the right reasons, but the substance isn't there? So they're going about it in a way that's more political than policy—and I would think that's shameful.

I guess in this third reading, we know that it has been time-allocated. The time has been set aside just for them to knock this out of the park and move on with it.

1440

When I looked at the times of debate, I wanted to put on the record very clearly that—it somewhat saddened. I happened to be there when the Dupont family were at the hearings, and I spoke to Lori Dupont's mother. I don't think the sadness and her quest for addressing the gaping holes in this particular legislation were addressed or are addressed. I think back, on this eve of violence against women, something we should be superconscious of with the Montreal massacre.

Even in my own riding—this is what has drawn me to get this right—across the road from my constituency office was the first blatant, cruel example, where Jennifer Copithorn was slain by her estranged boyfriend. This case has already been through the courts, so I'm not saying something that hasn't been proven in court. Around that time, we had the May-Iles inquest, the Gillian Hadley inquest, and then the Lori Dupont—where she was stabbed to death in the workplace, which was the hospital. Other members, including our member from Whitby—Oshawa, have spoken on this.

I don't think this bill, as it's constituted, gets it done. There's a lot of disclosure information that's required on both parts. There's some responsibility on the employer that I think is—I'm not sure that this consistent application of the rule is the right way to go about it. So it's not really in here.

In fact, we had Bill 10—and this should be on the record, and I'd like to put it there again. Bill 10 was really a reflection of a statute that had been passed when we were government. I believe it was 1999. This would have made available to victims of harassment a restraining order seven days a week, 24 hours a day, through the enforcement of a justice of the peace and/or a judge. This was really the putting in place of the tools, on behalf of the government, for the rightful people to review an application for the order and to make a decision; not some employer who may be saying, "Well, look, we'll make sure that somebody is at the gate or someone is in the cloakroom," or whatever. This needs to have the tooth of the law, and it's simply not here. That's the point that we're making.

Yes—repeating first principles—we are in support of protecting people from these sorts of abuse, clearly. What we are against is acting like you're doing it and not doing it. That's the real hypocrisy, in saying to the people of Ontario who only read the headlines—in fact, if you look at the detail, the picture is taken, but the person is still at risk. It's so disappointing to be, if I dare say, deceptive to the people of Ontario, to think that you're going ahead with these things, or at least—

The Deputy Speaker (Mr. Bruce Crozier): No. I'd ask the member to choose other words, please.

Mr. John O'Toole: I withdraw. These are words that, I guess, speak loudly to our frustrations, so I'll just leave it at that. We have withdrawn out of respect for this place and for this issue.

There's a program here that I could say meets in Durham, and I can laud and applaud the work they're

doing. This is the program DRIVEN. This is sponsored by people who work in this section of our society. There's Bethesda House, where Jaki MacKinnon is the director, and they've done workshops on domestic violence; as well as Luke's Place; the Women's Multi-cultural Resource and Counselling Centre, Esther Enyolu; and the neighbours, friends and family program. These are the kinds of things where the tools just simply aren't there. They've been stripped away.

I know the police and others are working together in Durham to try to move this along—but we were looking forward to this bill. That's the most disappointing part. We were looking forward to this bill. In some cases, it does address the issue, but we're wondering why they wouldn't have adopted a friendly amendment of Bill 10, or the parent of that. This bill goes even one further to drive the nail of destruction through it. What it does is it repeals that legislation that had been passed but never proclaimed. Why did they go that far to annihilate—that's too strong, perhaps—certainly put to death the right thing to do? At this point in time, I know there's much more to be said, but that's one thing that's a glaring omission from this bill.

It's dealing with new types of safety that aren't obvious in the Employment Standards Act. I know many leaders—industrial leaders, union leaders and other leaders—would want to do this. But what they've done is, they've shuffled this off and said that the individual who feels threatened in their society, in their workplace, has to declare it. So they're going to be going up and tell their supervisor about this abusive situation they're in—which victimizes them again—to some unqualified person who may interpret that as just seeking attention or something. Do you understand? So they're victimized again by having this requirement that they disclose it in the workplace to the employer. What qualifications does the employer have? They might be a tool and die maker or an engineer—great. But that doesn't make them a person who's competent to even listen intelligently or sympathetically, if you will, to the concerns of the employee.

Often these people who are victimized have been victimized again. That, again, should convince the minister to stand in this House today and just put an end to doing it because it's politically expedient. If you're going to do it, do it with some passion and compassion, and that's vacant.

In fact, I remember sitting that day—Mrs. Dupont was thinking and reflecting on her daughter's death as a surgical nurse at Hotel-Dieu, I believe, in Hamilton. The estranged husband came in, and there had been—

Mr. Howard Hampton: Windsor.

Mr. John O'Toole: It was Windsor. Pardon me; it was Windsor. You're right, the former leader of the NDP. In fact, it was Windsor.

Having to live through it again and be disappointed—but I commend her to continue her work to educate the people of Ontario, the governments of Ontario, the people who are in public office in Ontario to get this

right; and even, to that extent, to revisit this outside of the workplace and make sure that it's the right of the individual who's been victimized in these domestic abuse situations to get a restraining order and prevent, inside or outside the workplace, these tragedies that happen.

Again, saying this, sadly, on the day after the Montreal massacre is more important and also a benchmark for us today. If the government members here would listen and agree to a friendly amendment to adopt Bill 10, I think this could be over and done with; we'd be supporting it. If the rest of it is laudable, we would certainly be supportive, and I know that our leader, Tim Hudak, would be as well.

I can only say that we've tried all the way along to make this a better bill and a better province, but this government seems intent on doing time allocation on almost every bill and ramming them through with their majority and refusing to listen. That's unacceptable to democracy in Ontario today.

With that remark of frustration, I'm going to sit and take my place.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Howard Hampton: So that people are very clear, this bill—again, another time-allocated bill—is an amendment to the Occupational Health and Safety Act. It deals with violence and harassment in the workplace.

People who might be watching at home will remember a few years ago that a nurse at a hospital in Windsor, Ontario, was murdered by a physician who also worked in that hospital. It emerged that the nurse, Lori Dupont, had been subjected to a significant amount of harassment on the part of this physician, both in the workplace and outside the workplace, and it had been going on for some time. She had let others know that she feared for her safety, that it was very difficult for her to work in the workplace, it was very difficult for her to even associate freely in the community because of the harassment, the threats of violence and the actual violence that was happening at the hands of this particular physician. It's a very sad history, what happened. I think it's fair to say that it was clear that other people in the workplace knew what was happening, that managers and supervisors in the workplace either knew what was happening or ought to have known what was happening. Certainly any reasonable person who was aware of the day-to-day goings-on in the workplace would have been aware of what was happening.

1450

This young woman was on many occasions afraid to go to work, afraid to go home. She feared for her health and safety, yet nothing was done about it. She was essentially told, "You're on your own." There are several things that are very wrong with this. Just the statement, "You're on your own"—I think most of us know that nurse-doctor relationships are not always equal relationships in terms of authority or power. So to say to somebody who was in an unequal working relationship with someone else, "You're on your own," or to represent to

that person, "You're on your own," in retrospect, when you think about it, is incredible, is unbelievable. When you add into it the fact that this young woman was being harassed and threatened not once, not twice, but repeatedly, over weeks and months, and nothing was done about it simply adds to the travesty of what happened here. Then, of course, that this young woman was ultimately murdered by this individual who was threatening her and harassing her I think most people find quite unbelievable.

Now, the sad reality is that this is not a unique situation. This is not something that happened at a hospital in Windsor and does not happen in other workplaces, does not happen in other working relationships in Ontario. It happens often. It happens all too often.

Part of what accompanies this bill is, one, the failure to do much that was meaningful about this in the past, and, second, as my colleague from the Conservative Party has pointed out, some of the failings of this legislation that we have before us. The young nurse who was murdered—yes, her mother did come, her mother did express her views, and this legislation still does not measure up.

I want to also point out that our leader, Andrea Horwath, spent a significant amount of time raising this issue, working on this issue, meeting with nursing organizations, going to Windsor, talking to the family, and eventually presenting private member's legislation to raise the profile of these kinds of issues and to require that something be done about it. I can say—I think I can safely speak for our leader, Andrea Horwath—that she and all New Democrats will support this legislation, because it is better than what was there. It is a step in the right direction. But as Mrs. Dupont said in expressing her views, it does not address all of the issues that need to be addressed in terms of workplace harassment and violence. It doesn't address all the issues. It has several shortcomings. So this is again another piece of legislation where there is a very clear problem. There are very clear issues that need to be addressed, and unfortunately we're seeing a partial measure. We are not seeing the kind of legislation, we're not seeing the kinds of standards and we're not seeing the kinds of responsibility in the appropriate places to ensure that this doesn't happen again, to ensure that workers, especially workers who are in a vulnerable working relationship, where there is unequal authority, or unequal power, in the workplace—that we're not going to do all we can to help those workers or protect those workers; and that we're not going to do all we can to avoid this kind of harassment and potential violence in the workplace when we should be doing it.

Yes, New Democrats will support the legislation. But in saying we're going to support the legislation, much, much more needs to be done; much, much more could have been done; and much, much more should have been done in this legislation to ensure that we do not see similar episodes of workplace harassment and workplace violence, or harassment and violence that are associated with the workplace, in the future.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Ted Chudleigh: I'm a little surprised that the government isn't taking an opportunity to say a few words on this very important piece of legislation. You know, it's a shame that this bill was time-allocated, because I think there's a lot of unanimity in the House as to agreeing with the concept of this piece of legislation. I think we could have come to an agreement and perhaps made this bill an even better bill than it is today if we'd had some meaningful hearings on this piece of legislation and to work together on putting together—this party has a good deal of experience in this particular piece of legislation, even though it took the government 18 months after the coroner's report to bring it.

There was Bill 10, which was a private member's bill brought in by the member for Durham, Mr. O'Toole. In bringing in a private member's bill, you do a lot of research on it, you develop a lot of expertise on it and you talk to a lot of people about the concerns and the problems relating to the piece of legislation. That experience and knowledge could have been utilized by the government, but it was ignored. As time went by and as we continue to discuss this bill, we're concerned that it's going through as a—I want to say “a piece of fluff.” It's a piece of legislation that will go through, and the government will pass it with a majority, but it isn't very meaningful. It's not going to do a lot.

If this bill had been in place at the time when Lori Dupont was ruthlessly attacked at the Windsor hospital by her boyfriend, who was unhinged at the time, it wouldn't have stopped that from happening. That's a shame, because I think there are some things that could be done to help those kinds of things. It was pointed out by the member for Rainy River that Lori Dupont was told that she was on her own. In Ontario, that's a shame. There's a case before the courts in St. Catharines where the pleas of two folks living in the Caledonia area are being ignored by the Ontario Provincial Police. They were told, more or less, that they are on their own. That is their case. That's their alleged case. They were alleging that the OPP told them they were basically on their own. They may not have used those words, but they weren't receiving the protection of the OPP that every citizen in Ontario should expect to receive. Lori Dupont was in that terrible, terrible basket as well.

1500

It seems to me that at the very least what the province should do in order to protect women or men who are threatened, any citizen of Ontario who is threatened—unfortunately it happens more often to women than to men. At the very least, they should expect that they could get a restraining order against a person who has made threats against them and has continued to do that over time. Restraining orders are available. I don't have a lot of experience with them, but it seems to me that because they are not given out, they are not put in place as often as perhaps they should be. It would seem obvious that a restraining order should have been in place in this particular case, and since it was not, I make the assumption

that they are too difficult to get. They require too much time; they require lawyers; they require something that should not be a restriction to getting a restraining order. I think that's something this bill could have done. It could have made restraining orders more available to people who are being threatened, who feel that their life is in danger. That would have been one of the minimum things this bill could have done, creating a tool that would help get the job done, that would help protect human life, particularly this type of human life. All human life is important, but in this case there's someone who was being threatened and was left to fend for themselves.

In a civilized society we have a police force that protects our community. It protects everyone in our community—including perpetrators. It didn't do an adequate job in this case. There are other examples of these kinds of things in Ontario as well. This has been ongoing. To have a piece of legislation going through the House which does not add the one essential tool to the police and to the people who are threatened by these kinds of threats that are put out is a shame. I think if the government had been more co-operative in taking advantage of the experience that this caucus has in this case—particularly with Mr. O'Toole, the member for Durham, and his experience in this area—this would have been a much better piece of legislation. It would have been something we could have all agreed on, and perhaps in agreeing to it we could have avoided bringing in the time allocation motion that has become a bit of a hallmark with this government in the last two weeks before Christmas. I remember when I first arrived here people explained to me that this was referred to as the silly season, and perhaps that's the case. But the government wants to put through as much legislation as they can.

The citizens of Ontario are certainly a little distracted at this time of year. We're all going out Christmas shopping—at least some of us are. The members of the House, I'd suggest, with the agendas that we've had in the last month or so, haven't had the time to go Christmas shopping, so we're going to be last-minute shoppers. But as we go out and shop, I think we should all remember that Lori Dupont won't be shopping this Christmas. If this legislation had been stronger and had restraining-order clauses in it making it easier and quicker to get those adopted, to get those restraining orders and to make the police aware that the restraining orders were to be responded to in a very fast and determined method, this would have been a much better piece of legislation. It's a shame to see this go through on time allocation when the opportunity was there to do something that was very positive.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mrs. Christine Elliott: I am pleased just to make a few comments with respect to Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters.

As other speakers, my colleagues, have noted, it is a shame that this bill has been time-allocated, because it is

a tremendously important issue that we're seeing increasingly in the workplace and in homes in parts of this province. I think it's something we really need to make a concerted effort to deal with. I fear that we've lost a few opportunities that have presented themselves this year in the Legislature, not just on this bill but also on Bill 133, which was the act to amend the Family Law Act and other statutes, where we argued more or less the same thing: that this is a situation where we're dealing with workplace violence, domestic violence. There is a need to have stronger protections in place for victims of violence of this nature, who are still predominantly women, although there are some men who are affected by this as well.

Of course, this arises primarily from the tragic case of Lori Dupont, who was murdered by her boyfriend at her workplace in a hospital in Windsor. I think we have had an opportunity to really strengthen some of the protections for people who are victims of domestic violence, but we haven't taken the opportunity to deal with them in this bill, as we failed to do with respect to Bill 133.

It's interesting that there are really two main sections to this bill. One actually requires employers to develop policies and procedures dealing with workplace violence and harassment, which is sort of an internal situation when you think about people inside the workplace not subjecting other workers to this kind of violence and harassment. But the other part that it deals with, which is the opening that we have to really deal with this in a significant way with respect to domestic violence, is section 32.0.4, which states, "If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker."

It's a pretty weak attempt, I would say, to protect victims of domestic violence in this way. What would be "every precaution reasonable"? Is it reasonable to put the onus on the employer in this particular situation, because they aren't allowed to ask a lot of questions, they aren't allowed to invade the privacy of the people who work for them, and if they simply don't know about a situation, then how can they reasonably protect that person?

I would submit to you that had we had the opportunity to debate this more fully and consider it more fully, we perhaps would have come to the conclusion that to have access to restraining orders 24/7 would have been in the best interests of those people who are being subjected to this kind of violence.

I really think we are not paying the attention that we need to be paying to this problem. We argued that with respect to Bill 133 as well. In my own view, I think that we really need to have a separate domestic violence statute to signal to people in this province that we are serious about protecting people, that there are too many victims who are out there who don't have the substantial protection of the law, and just passing this workplace safety bill is not going to go the necessary way in order to fully protect them.

While this is worthwhile, we do need to have more protection in the workplace. Again, I fear it is another opportunity lost, where we really could have come up with an excellent piece of legislation, and we let that opportunity go. So it is unfortunate. It goes some way to protection, but unfortunately it misses the mark and doesn't reach the goal that is really intended here.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Ted Arnott: I'm very pleased to have this chance to participate in debate this afternoon, albeit with the qualification that I'm disappointed that we're dealing with yet another time allocation motion from this government to curtail debate on another important public policy issue.

1510

As was pointed out by a number of my colleagues this afternoon, of course, we are all quite aware of the time of year that we're in and looking forward to spending some more time with our families over the Christmas holidays. But that doesn't take away from the important responsibilities we have here and the need to scrutinize legislation that the government would put forward, the need to encourage thoughtful consideration and debate on those subjects. Yet, here we find yet another time allocation motion.

It would appear that the government is trying to ram through as much legislation as it can before the House rises. Likely they have a plan for a major cabinet shuffle, because the government is in disarray, as we all know, as even the backbenchers on the government side are well aware, and many of them will have high hopes for the opportunity for promotion. The fact is that the government will likely conclude over the Christmas holidays that they need a fresh start. Certainly the poll numbers, which must be disturbing them and forcing them to stay up late at night and perhaps lose sleep, will motivate them to want to start afresh in the new year.

Here we are with Bill 168, which is an important piece of legislation, as I said earlier. I'm pleased to have had the chance to hear some of my colleagues' thoughts on this issue: the member for Whitby-Oshawa, the member for Halton and the member for Durham.

I want to congratulate and commend the member for Durham for the important work that he's done on this issue. It was his private member's bill, I think Bill 10, some time ago, the short title being the Lori Dupont Act, that brought a lot of attention to the need for access to restraining orders seven days a week, 24 hours a day, to ensure the protection of certain people who are in situations of harassment. To a large degree, that bill provided a focus upon which the government decided to introduce its own legislation. Unfortunately this bill is coming up short in that respect, and it's obviously an issue of severe concern.

We know that this bill, as presented, is intended to amend the Occupational Health and Safety Act to add the definition of workplace harassment: "engaging in a course of vexatious comment or conduct against a worker

in a workplace that is known or ought reasonably to be known to be unwelcome.”

The bill would require employers to prepare a workplace harassment policy and develop and maintain a program to implement that policy. A program would be required to “include measures and procedures for workers to report incidents of workplace harassment; and set out how the employer will investigate and deal with incidents and complaints of workplace harassment.”

The bill would include the previously absent definition of “workplace violence” from the Occupational Health and Safety Act.

The bill, as I understand it, is intended to require employers to “prepare a policy with respect to workplace violence” and develop and maintain a program to implement that policy.

The program would “include measures and procedures for summoning immediate assistance when workplace violence” is threatened or occurs, and “measures and procedures for workers to report incidents or threats of workplace violence.”

The program would also set out how employers “will investigate and deal with incidents, complaints or threats” ... “or complaints of workplace violence” ... “that may arise from the nature of the workplace, the type of work or the conditions of work.”

Employers who are aware or “ought reasonably to be aware that domestic violence ... may occur in the workplace” are expected to “take every precaution reasonable in the circumstances” to protect a worker who’s at risk of physical injury. Of course, our member for Whitby—Oshawa pointed out that that definition is obviously very vague and can be interpreted in so many different ways.

I’m told that proposed amendments to the Occupational Health and Safety Act would extend the grounds for work refusal to allow a worker the right to refuse where he or she has a reason to believe that “workplace violence is likely to endanger himself or herself.” Employers would be prohibited from penalizing an employee for refusing work on grounds outlined in the Occupational Health and Safety Act.

These proposed amendments would also provide the authority to make regulations regarding elements to be contained in any policy required under the Occupational Health and Safety Act; restrictions, prohibitions or conditions respecting workers or workplaces and the risk of workplace violence; designating a person to act as a workplace violence and/or harassment coordinator, in addition to existing duties; the application of the work refusal provisions to those with a limited right to refuse, such as firefighters; the application of workplace violence provisions to the taxi industry—independent contractors, not employees.

Again, this is what the government would have us believe: that they’re well intentioned in this respect, and that this bill is going to solve a significant problem. Certainly our suggestion from this side of the House is that the bill would have been much, much stronger had it

included the provisions of Bill 10, which my colleague John O’Toole moved in this House some time ago.

So here we are. I’m sure that the vote is going to take place fairly soon. Our caucus would again suggest that time allocation is not an appropriate way of dealing with matters such as this on a routine basis, and we are going to be voting against that time allocation, I have no doubt. I hope that the government will take the message back when they reconvene in terms of their own private internal discussions, and we would expect and hope to see higher standards of appropriate behaviour from this government in the coming days.

The Deputy Speaker (Mr. Bruce Crozier): Further debate.

Mr. Norman W. Sterling: I want to talk a little bit about time allocation and this party continuing to use this day after day for each and every piece of legislation they bring forward here in the Legislature.

I think this government has now outstripped the former government in terms of the use of time allocation. They have time-allocated more bills than the previous government did that they complained so much about. They’ve done it by not only time-allocating single bills, as with this particular bill, but they’ve done it by time-allocating many omnibus bills. So, when you time-allocate a bill that has 21 different pieces of legislation in it, you are—

Interjection.

Mr. Norman W. Sterling: Bill 212 is an example, as my colleague says—you are time-allocating ad nauseam. That seems to be the plan of this House leader and this government now. We’ve changed the standing orders dramatically so that the opposition has little chance to delay legislation, to negotiate amendments or do any of that. So we’ve lost, in effect, all of the features of a democratic situation that we need in this province of Ontario.

With regard to this legislation, we don’t have great exception to this piece of legislation. I think it’s the kind of legislation, if this government had been working hand in hand with the opposition—and granted, for instance, a decent set of hearings across Ontario on the HST bill—they could have gained our co-operation with regard to passing acts like this. But they have been absolutely stubborn with regard to saying to the opposition, “We are in control. We, the government, are in control and you guys don’t count. We don’t want to hear from you. We don’t want to hear about any kind of reasoned amendments. We don’t want to go out and hear the public speak about our bills, because we know, for instance, with regard to HST, how unpopular that particular matter is. So we’re going to avoid all the public hearings we can. We don’t want to give the people in eastern Ontario”—which I represent part of—“the opportunity to speak on this legislation. We don’t want to give them the opportunity to speak on any legislation. We’ll just ram it through as quick and as fast as we can.” The government wants desperately out of here on Thursday, December 10, so they don’t have to face question period.

As you know, that is, I believe, the strategy of this government. I can see it. It's very, very clear. Perhaps the only transparent thing about this government is the fact that they want out of here at any cost, and in order to do that, they are ramming through legislation at an unprecedented rate.

It is really unfortunate that debate in this Legislature is truncated, that there isn't an opportunity to go to committee hearings so the government can listen to argument for amendment to that particular legislation. In this particular bill, we feel it could be amended and made much better.

It's unfortunate, but this government is showing all the signs of a second-term government, that the only way that they can pass legislation and gain that legislation is not through acceptance by the opposition, not through acceptance by the public, but to batten down the hatches, go straight ahead—"We're always right"—and that always leads to a losing team in the end.

1520

I do wish they would change their tactics. I believe that all members of my party are quite willing to sit next week in order to have legislation thoroughly considered. We'd love to have more hearings on the HST in Ottawa, in the former city of Vanier. We would love to have hearings in that particular area, because those people are very upset with regard to the HST. In fact, a poll recently showed that over three quarters of the people in Ontario are against the HST. But of course they're not going to hear that, because they're not going to allow public hearings as we go out.

We are going to vote against this time allocation motion, because this is not the right way to conduct a government; this is not the right way to pass legislation in this Legislature.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Cheri DiNovo: It's certainly an honour and a privilege to speak about Bill 168, in light, I should say, of our leader Andrea Horwath's Bill 29. It's not an honour and a privilege ever to have to speak to a closure motion, particularly on a bill like this, where the process was truncated when we really wanted as many deputationts as possible to come forward and to hear as many stories from women as possible. It really, in a sense, is another silencing of women.

You know, for many, many years in the very bones of this Legislature, women have been silenced. Here we have, by an ironic twist, the government silencing debate on a bill that purports to help women, shutting down the number of deputations, shutting down the number of speakers who can speak to the bill and, again, shutting down the input of women on a bill that has been a very, very long time coming.

I harken back, of course, to its genesis, which was Bill 29, Andrea Horwath's bill: a much stronger bill and a bill that the families of Lori Dupont and Theresa Vince, who have gone through phenomenal tragedy, really wanted to see the government put in place.

Quite frankly, we understand the way this place works: The opposition gets its say; the government gets its way. But we really would have expected and hoped—certainly women who are active every day in the struggle against violence against women really would have hoped—that this bill would be stronger in its language, and more time given to hear deputations, in three ways.

I have to say that I think over 20 amendments were brought forward by the New Democratic party to strengthen Bill 168. Each and every one was voted down by this government—by the McGuinty Liberals. They weren't our amendments—I want to make that very clear—they were amendments suggested by the deputationts. Who were these deputationts? Well, just about every organization involved in the counsel, the shelter and the legal voice of women who have suffered from violence, and the families themselves that were the inspiration for the bill.

We heard from Lori's mother. We heard from Theresa's daughter. They came and gave such courageous testimony. They demanded such simple amendments, but amendments that would have given teeth to this bill, and amendments that would have saved their daughter's and their mother's lives. Those were the amendments that were voted down by the McGuinty Liberals—amendments that would have saved these two women's lives—and here we are, silencing yet again the process of women speaking about violence against women.

Really, I can't fathom how ironic and sad that is, particularly in the week of December 6, when all of us across this nation lament the murder of those women at L'École Polytechnique by Marc Lépine. That truly was a silencing of women in the workplace; truly silencing women by killing them.

It was truly a silencing of Lori Dupont when she was killed by her estranged partner in her workplace. It was truly a silencing of Theresa Vince, who was silenced once and for all by the manager when she worked at Sears. Those two women's bodies, souls and families, and all of those who have worked for this day, call out to hear their voices finally heard. And yet here we are: We have 27 minutes left of debate on possibly one of the most important pieces of legislation around women's rights.

These are the three ways in which they asked—in fact, demanded—of the government that the bill be strengthened. Number one, they all, to a person, demanded that the definition of violence be extended to include harassment and threats leading up to violence; that it's not just about the violent act; it's about all the little actions—in the case of Lori Dupont, 44 different times that the history that was written that day with her death could have been undone, 44 different times that that hospital, her workplace, could have acted to save her life and refused or did not, for a variety of reasons. And not one of those 44 times was really an act of violence in the traditional meaning of the word.

When we talk about women who are under threat, we inevitably talk about women who are being stalked or

some version of stalking. And when you look at the component parts of what makes up stalking behaviour, you're not looking at somebody being violent in any one of them; you're looking at really some pretty simple actions that in and of themselves could be deemed really inconsequential. But when you look at all of them together, that's when they gain consequence and import. That's when they become dangerous.

This bill, as it is written, doesn't get at that.

Look at the case of Theresa Vince. You see classic stalking behaviour. You see a man buying coffee for her, phoning her at home—maybe once too often, maybe 10 times too often, but it's just a phone call; it is just a cup of coffee; it is just a gift. But it's all of those little behaviours put together that constitutes a danger. And really the only person who can comment on that danger with any alacrity and with any surety is the woman, the victim herself.

We wanted to see a bill that would capture that, that would really allow women to find some safety. Unfortunately, this doesn't capture the nuance of stalking behaviour.

There was a deputant who talked about, for example, the role of women on the Toronto transit authority. Imagine being a woman driving a streetcar late at night. Imagine if your estranged partner, the one who's stalking you, the one who is a threat to you even if they haven't threatened you per se, threatened violence per se, just sat next to you for every single shift. Anybody—anybody—would say that's stalking behaviour; that's dangerous. We know where that kind of behaviour leads.

We lose a woman or two a week in this country because of exactly that kind of behaviour that has an explosive end. It isn't explosive as it is occurring. It isn't explosive at its beginning. It's explosive and deadly at its end, though. Only the woman knows that, and she knows it for sure, and she could tell anyone, any supervisor, any manager of her workplace, that this is going to have a violent end if they don't act.

Yet this bill, Bill 168, doesn't capture that. It doesn't give her recourse. In fact, if anything, it gives the management where she works recourse to say, "Well, you know, everybody's allowed on the TTC."

You could say the same to Lori Dupont: "You know, a doctor's allowed in the hospital." You could say the same to Theresa Vince: "Well, it's a manager. He's just trying to be nice. He's just phoning you; he's just buying you coffee; he's just offering you presents." Management, with the way Bill 168 is worded, has that out. They have the out to say, "Well, you know, he's just being friendly."

1530

For all of the women, and I know there isn't a woman alive who—the stats say something like one in two women has experienced harassment, the kind of harassment that should be captured by Bill 168. Quite frankly, I've never met a woman who has not been harassed at some point in her life by somebody—some unwanted attention. For the vast majority of women, of course, it

does not become deadly the way it did for Lori Dupont or Theresa Vince, but every woman knows what constitutes stalking in her own situation, what constitutes undesirable behaviour to the point that the authorities should be notified so that management should protect her. Every woman knows that—every woman.

Both Theresa Vince and Lori Dupont tried to wake people up, tried to say, "There's a problem here. Do something." I understand that the government even recognizes that. Otherwise they would not have gone through the effort of bringing Bill 168 to the floor of this assembly. They understand as well that something has to happen to protect women like Lori and Theresa, but the problem is that with the wording in the bill, it doesn't.

The second thing, and I talked about it, was stalking; a series of actions needed to be captured, as well as an extension of the definition of violence.

Also, finally, the ability to remove oneself to a safe place. Unfortunately, and I really mean unfortunately, this bill does not capture that. The wording of the bill could have been written by a manager: "You can remove yourself from an unsafe place as long as you don't leave work." Imagine what that meant for Theresa Vince or Lori Dupont. Imagine what that means for someone who sees the stalking behaviour, who knows that this is escalating behaviour and that it starts with the phone calls, with the coffee, with the presents. Then the phone calls increase. Then the harassment increases. They know. Anyone who works with women, in terms of violence and abuse, knows that this is a pattern that ensues, and that the woman has to make herself safe at any cost when she recognizes that this pattern is escalating.

So what does that look like? For a nurse, it looks like getting somewhere away from the person, and Lori didn't have that opportunity. For Theresa it looks like getting away from the person, but Theresa didn't have that opportunity. Quite frankly, one can see the same situation emerge even after the passage of Bill 168, because a woman might say to her manager, "I don't feel safe," and the manager can say, "Well, why not?" She'll say, "Well, this"—reaming off the countless behaviours, all of them in and of themselves not dangerous, all of them in and of themselves not constituting violence, all of them in and of themselves not covered by Bill 168.

Picture that woman alone at night on the TTC, with her stalker sitting right across from her: "He's a paying customer; it's his right to be there. Paying customer; it's a public service." With Lori Dupont: "It's the doctor's right to be there. It's a hospital." With Theresa Vince: "It's the manager's right to be there. It's his workplace too." Imagine them appealing to someone within their company and saying, "I don't feel safe. I just don't feel safe, and here is why, and I need to get somewhere safe." Somewhere safe isn't the streetcar, isn't this hospital, isn't this office at Sears. It might be far away. It might be a shelter. It might be home. It might be somewhere that they can get a restraining order. It might involve police. But whatever it is, chances are that it's not around the workplace. Chances are it isn't, and that's what Bill 168

is supposed to be about: protecting that woman in her workplace. But it's not limited. It doesn't mean she has to stay in her workplace to be protected. It means she needs to get somewhere safe so she's not killed.

Again, the devil is in the details. In this case the death is in the details: the deaths not only of Lori Dupont and Theresa Vince but of every single one of those tragic statistics across the country.

One looks back and wonders if there were any little details, probably none of them violent in and of themselves, that pinpointed to Marc Lépine and the people who were around him that something really tragic was about to ensue with that young man. I imagine there were. I imagine there were all sorts of little things, little behaviours, little statements, little actions that in and of themselves weren't particularly frightening, but added together really made for a totally terrifying outcome.

At the Bill 168 committee, despite the truncated time, despite the silencing of some of the voices that wanted to come forward, we heard from unions. We heard from the families of Theresa Vince and Lori Dupont. We heard from the Registered Nurses' Association of Ontario—in fact, kudos to them for all they've been through—and they brought forward some wonderful suggestions as amendments, amendments, as I say, that were mirrored and reflected in the New Democratic Party's amendments, none of which were accepted by the government. Let me say that again: none of which were accepted by the government. None of the RNAO's suggestions for amendments were adopted by this government.

One of the amendments they brought forward was to look at the very—and this is quite revolutionary in a sense, because this is starting to speak to the very roots of violence against women in the workplace. One of the RNAO's suggestions was to look at the medical advisory committees and the way they're made up. Why are they only doctors? Imagine, if you were a nurse, and your abuser/harasser is a doctor, and the committee you have to go to appeal to is nothing but doctors. It doesn't even make sense for patient care, and that is what RNAO is saying. They would like to see nurses on that committee. They'd like to see dietitians, and they would like to see that committee reflect the fullness of the reality of hospital health care. It doesn't. It's a suggestion.

We didn't have high expectations for that amendment, but certainly we had high expectations for other amendments, which we thought were practical, which were to the point, which just required some change in wording—again, all rejected. Suggestions brought forward by the Lori Dupont family, by the Theresa Vince family—all those amendments rejected, rejected, rejected. Not one of them passed.

Again, I come back to it. I understand the way this place works. I think women across Ontario understand the way this place works: Government has its way; opposition gets its say. But, please, surely the voter or constituents, women who are in danger, expect a collaborative effort so that they might be safe, so that we might prevent further deaths. That's all they're asking

for. I'm sure they didn't come wanting to support one party over another. They didn't come as skills to the Progressive Conservatives or the Liberals or the NDP. They simply came as people who had loved someone and lost them, who really wanted that death to count for something; who wanted that death to be the beginning of a new change in the legal outlook of this province, the province of Ontario, towards women at risk. That's all they asked.

They would have been very happy had Bill 168 been written right out of the gate with those amendments in it. They would have been very happy. They would have been happy, really, if Bill 168 had been Bill 29. That's what would have made them happy. But since it wasn't, we did our due diligence as members of the opposition. We brought in what the deputants asked for—that's all. We just brought in what the deputants uniformly, across the spectrum, wanted. And uniformly, across the spectrum of employees, unions, organizations—they were refused.

1540

Why does this sort of thing happen? One can only wonder. But here's a suggestion—I made it, actually; it's still on the order paper. It's simply a suggestion as to what might work, what might take us a step or two forward when we confront violence against women, because quite frankly, I'm really tired and sick of it.

As a woman who has been active around this issue for as long as I can remember being active around anything, we still see the same numbers. We still see the same numbers of deaths. We still see the same high incidence of abuse. We still see harassment in the workplace. We still see the same few women who represent constituencies; that is, in this place. By the way, one of the worst records for electing women anywhere in the world is in Canada. We still see women making 71 cents for every dollar made by a man. We still see women who can't find daycare in Ontario—only one in 10 children have a spot. We still see women getting harassed, getting abused and then finding out there is not a shelter bed for them; we still don't have enough shelter beds for women.

We have made some gains, no doubt. Women have made gains. It's not all negative. We've made amazing gains in my lifetime. But what are those gains worth if we are always on the defensive against some man who thinks he knows better for us than what we know we need for ourselves? That's the root of abuse. The root of abuse is the power men wield over women, and it's a structural power. It's a power that hasn't really changed, even though we've softened it around the edges. And again, how do we get at that?

Well, we can't get at it by playing partisan politics—I'm sorry, my friends; we can't. We—and I'm talking to women here—have to get at it by coming together as women. That's why I brought forward a motion saying that we should have an all-woman, all-party committee that does nothing but look at violence against women in the province and how we can combat it. Irrespective of political stripe, irrespective of partisan politics, we need that.

How motherhood-and-apple pie can a motion be? That seems to me an obvious one; it seems to me so obvious. Surely we could all agree on that. Then we could go back to fight for what we think will work in our respective caucuses, right? We came together as women, we agreed on steps we could agree on and then we went back to try to bring it forward. Surely that might be a step in the right direction. I think it would be.

Quite frankly, wherever women have made gains in workplaces—or in any other place, for that matter—around this planet, they've come together as women to struggle for what they know they need. Why should this place be any different, I ask you? Why should this place be any different? Well, in a sense, this is where all laws are birthed. So this place, even more than any other place, should be a place where women, irrespective of political stripe, can come together on a committee to try to decide on ways of moving forward against harassment and violence against women.

I don't pretend to have all the answers. I listened with as much interest as, I hope, my colleagues across the aisle to the deputants who came before us for Bill 168. I listened—it was impossible to listen without tears in your eyes—to the deputations of Lori Dupont's mother and Theresa Vince's daughter. Yet why can we not embody what they are calling on us to do? I say that unfortunately it's because partisanship trumps women's needs. That's what happened: Partisanship trumped women's needs, and in particular the needs of the Lori Dupont family and the Theresa Vince family. They had very specific amendments they asked for, as did others. They didn't get them. Sad. Why? Because again, the Liberal Party voted as the Liberal Party, as instructed by the corner office, instead of the women in the Liberal Party, in cabinet, voting for women. That's another reason why we've got to get together finally.

Anyway, it's just an obvious thing—one would think it would be very obvious. Honestly, my daughter, who is not at all politically active, said, "That makes sense, Mom." It makes sense, but it's never going to happen here unless we have some independent movement from women from the other side. So again, a plea to you to at least, even if you're not listening now, look back over the Hansard; look at that motion and think about it. What a revolution that might be in the legislative process, that all of a sudden we could, as a group, come together and act—guess what?—the way women never do: for their own interest. Women act for everybody else's interest, and we do the same thing here. I know we do. We act for other people's interests, presumably our constituents', we hope. But here, we're just asking one to think a bit and act only for women's interests for a change.

So here we are. We're dealing with a closure motion. It's a motion that is going to truncate debate. It's going to shut down time when women could speak out about this bill. It's going to limit dialogue about violence against women, one of the most intractable problems of our country and our province and our city. It's a problem on which, trust me, I've had groups in my office, from our

local police divisions to shelter workers to everybody else, and it's something when you see a superintendent of a police division with tears in her eyes because no matter what they do, every year there's another death.

So as legislators and as women, that hurts. It hurts because here is an opportunity, and unfortunately, because of the closure motion, it's an opportunity missed. Now, don't get me wrong. We in the New Democratic Party are going to vote for Bill 168. What choice do we have? It's better than nothing. I would love to have a nickel for every time I've stood in this place and talked about Liberal legislation and said, "It's better than nothing," but, quite frankly, better than nothing is not nearly good enough. In the week that commemorates December 6, in a bill that presumably answers the requests of the Dupont and Vince families, just a little isn't enough. I'm sorry; it's not enough.

The simple question that they had—and that's why they brought forward these amendments, these families and organizations—was: Would this bill, as it is written, have saved the life of Lori Dupont or Theresa Vince? The simple answer that they all gave was no, that without these amendments, it would not. How can that voice be ignored? How can it be shut down? How can it even be limited in terms of a closure motion so that we can't have fulsome debate about it?

Again, looking back over the simple little motion that's on the order paper about an all-women, all-party committee to look at one specific issue, this is the sort of thing one hopes the federal government does. Why can't the provincial government do the same? It's a very simple request. Again, it's not because we want the glory over here for Bill 29. It's not that. It's not because I want to see my motion pass. If the government had brought in under their own steam Bill 29, we might have raised a hand and said, "Well, give thanks where thanks is due, to our leader, Andrea Horwath," but we would have rejoiced that the bill had seen the light of day. If the government had brought in this motion that's on the order paper about an all-women's committee to look at violence against women, quite frankly, my friends, I would just celebrate you. I would say that for one of the most important issues that we could address in this Legislature, finally we're all coming together.

We've seen it done. Mr. Klees from Newmarket—Aurora and I and Dave Levac from Brant all together co-authored a bill, the first in Canadian history—that's sort of sad and glad at the same time, but the first time in Canadian history that three parties co-authored a bill, to recognize the horror that was the Holodomor once a year. It's the right thing to do—simply that. Everybody agrees it's the right thing to do.

I would really offer the government this: that if that was the right thing to do, then an all-party, all-women committee looking at violence against women is the right thing to do too, and by extension it would have been the right thing to do to bring in the amendments suggested by the Vince and Dupont families and by all of the other groups that work with abused and killed women and their

families. It would have been nice if their amendments had been made part of Bill 168.

1550

Here we are: another closure debate, another better-than-nothing bill, another commemoration of December 6, another mention of the deaths of Lori Dupont and Theresa Vince, another day in the lives of women across this nation where they're returning to homes that are far from safe.

I was speaking to my best friend about this the other day, and I was saying that for all the work of our lives, at least when we go home, it's a safe place; it's a loving place. We're lucky; we're blessed. But for many women that's not the case. And then, guess what? For more women it's not the case that when they get to work it is a safe place. It's not a safe place for many women. After the passage of Bill 168, it still won't be a safe place for those women. It still won't be a safe place for those women.

The tragedy is so immense; it really is. The numbers are so horrifying. If we have not experienced the horror that the Dupont family and the Vince family went through, we women have all experienced at least a little bit of it in our lives; just about every woman has. Enough to know to maybe stay away from that guy, enough to know to get some help because of that guy, enough to know that maybe we can quit our job—maybe the option to quit our job. They didn't.

Maybe, just maybe, and this is truly a Christmas ask—an ask in the season of peace, hope, love and joy—an ask of the government that they look again at the way we confront this problem and think outside the box, finally, and look at something that's not partisan but actually has to do with women's safety, and actually put in place a committee that will look at this bill, and all bills and all possible laws relating to this, and actually move ahead as women for a change—not as Liberals, New Democrats or Tories, but as women.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Frank Klees: In the time I have remaining, I want to share with members of the Legislature a letter that was sent to the standing committee—copied to me—by Mr. Edmund Healey. Mr. Healey's daughter, Brenda Healey, was brutally murdered by someone she met in the workplace. I think it's important that we as members of this Legislature listen to the words written by Mr. Healey and that they be considered in their context, and may well inform members in terms of how they vote on this bill:

"I would like to tell you today of the violent murder of my youngest daughter, Brenda Ann Healey, how the event is related to Bill 168 and why it should be passed into law.

"March 7, 2008, was a cold, snow-filled day in Newmarket. Brenda Healey awoke, dressed, had breakfast and then went to work. This would be the last day of her life. Brenda was 27 years old, in the prime of her life; she

was happily in love and engaged to be married to her partner of seven years, Scott Atherton.

"Brenda was a driver for a company called Mobility Transportation Specialists, a contractor on behalf of York Region Transit, driving a vehicle out of Pefferlaw. Brenda's job was to drive disabled, ill and mentally challenged clients to various appointments. Brenda enjoyed driving her clients and had a good relationship with many of them. Brenda was trained on how to handle the needs of her clients based on their circumstances. However, at no time was she given any training on harassment or violence in the workplace, which could have saved her life.

"Police clearance, driver's abstract and insurance clearance were all a condition of Brenda's employment. Most clear-thinking people would assume that your superiors and fellow employees would also have to follow these same rules and guidelines. However, this was not the case.

"At the end of her workday, Brenda was told to meet Stephen Daniel, her co-worker/supervisor, a person in a position of trust. Brenda was told to meet Daniel to collect her paycheque and turn in her driver's reports as well as those of a fellow driver. They met at a house in Sutton. There, she was brutally assaulted and murdered.

"Unbeknownst to Brenda, Stephen Daniel had a violent criminal past. Daniel had been charged with attempting to murder a woman in 1999 and was convicted of aggravated assault, after which he spent a very short period of time in prison (seven months). Stephen Daniel's criminal record involving violent crime was known to his employer.

"I believe that if the employer had disclosed to Brenda Stephen Daniel's violent criminal past, she would not have agreed to meet him after hours to pick up her paycheque, and she would be alive today. Although Brenda's murder did not take place at the workplace, it was committed by her colleague, who was infatuated and obsessed with her. Brenda was being stalked and did not know it.

"Brenda's murder is another example of workplace harassment that escalated and ended tragically. How many more examples do we need before we recognize that change is required immediately?

"I believe that disclosure of people who are violent, such as Stephen Daniel, should be made to all employees so that they can make informed, intelligent decisions that could possibly save their lives.

"I do believe that Bill 168 will help address this issue and in particular, the paragraph concerning disclosure of information about a violent person ... and will possibly save lives of unsuspecting people."

Mr. Edmund Healey has expressed his view of why this bill, if not perfect, if not going the full distance in terms of what we would like it to do, at least begins to address a serious issue left undone, one that resulted in the death of his daughter. I leave these words with my colleagues for consideration as they deliberate on their decision regarding the legislation before us.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Smith has moved government notice of motion 170. Is it the pleasure of the House that the motion carry? Carried.

Mr. Mike Colle: There was a no.

The Deputy Speaker (Mr. Bruce Crozier): There was a no? If other members say there was a no, I'll accept that and say: All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried—oh, sorry. I'm not looking all around today.

Mr. Frank Klees: It was already carried.

The Deputy Speaker (Mr. Bruce Crozier): No. There were five members standing in their place. I was looking to the left, I'm sorry, and I didn't look to the right. So call in the members. This will be a five-minute bell—a 10-minute bell. Boy, we're having trouble getting through this one.

I have received a note to the Speaker of the Legislative Assembly that government order 170 be deferred to December 8, 2009, signed by the chief government whip.

Vote deferred.

BARRIE-INNISFIL BOUNDARY ADJUSTMENT ACT, 2009

LOI DE 2009 SUR LA MODIFICATION DES LIMITES TERRITORIALES ENTRE BARRIE ET INNISFIL

Ms. Smith, on behalf of Mr. Watson, moved third reading of the following bill:

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil/ Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated December 3, I am now required to put the question. Who moved the bill originally? Ms. Smith? Boy, oh boy. You just did it a moment ago, didn't you?

Ms. Smith has moved third reading of Bill 196. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Call in the members. This will be a five-minute bell.

1600

I would like to advise the House that I have received, pursuant to standing order 28(h), a request that the vote on the motion by Minister Watson on Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil, be deferred until December 8, 2009, signed by the chief government whip.

Third reading vote deferred.

ORDER OF BUSINESS

Hon. Monique M. Smith: I believe we have unanimous consent to put forward a motion regarding second and third reading of certain private bills.

The Deputy Speaker (Mr. Bruce Crozier): Do we have unanimous consent? Agreed.

Hon. Monique M. Smith: I move that the orders for second and third reading of the following private bills shall be called concurrently, and that the Speaker shall put the questions immediately without further debate or amendment: Bills Pr15, Pr18, Pr25, Pr27 and Pr28.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

ALLAURA INVESTMENTS LIMITED ACT, 2009

Mr. Klees moved second reading of the following bill:
Bill Pr15, An Act to revive Allaura Investments Limited.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

ALLAURA INVESTMENTS LIMITED ACT, 2009

Mr. Klees moved third reading of the following bill:
Bill Pr15, An Act to revive Allaura Investments Limited.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

1516495 ONTARIO INC. ACT, 2009

Mr. Ramsay moved second reading of the following bill:

Bill Pr18, An Act to revive 1516495 Ontario Inc.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

1516495 ONTARIO INC. ACT, 2009

Mr. Ramsay moved third reading of the following bill:
Bill Pr18, An Act to revive 1516495 Ontario Inc.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved the bill do now pass and be entitled as in the motion.

Third reading agreed to.

CEN-TOWER INVESTMENTS LIMITED
ACT, 2009

Mr. Bailey moved second reading of the following bill:

Bill Pr25, An Act to revive Cen-Tower Investments Limited.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

CEN-TOWER INVESTMENTS LIMITED
ACT, 2009

Mr. Bailey moved third reading of the following bill:
Bill Pr25, An Act to revive Cen-Tower Investments Limited.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved the bill do now pass and be entitled as in the motion.

Third reading agreed to.

BRISMAIR PROPERTY
MANAGEMENT INC. ACT, 2009

Ms. DiNovo moved second reading of the following bill:

Bill Pr27, An Act to revive Brismair Property Management Inc.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

BRISMAIR PROPERTY
MANAGEMENT INC. ACT, 2009

Ms. DiNovo moved third reading of the following bill:
Bill Pr27, An Act to revive Brismair Property Management Inc.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

1105481 ONTARIO INC. ACT, 2009

Mr. Kular moved second reading of the following bill:
Bill Pr28, An Act to revive 1105481 Ontario Inc.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

1105481 ONTARIO INC. ACT, 2009

Mr. Kular moved third reading of the following bill:
Bill Pr28, An Act to revive 1105481 Ontario Inc.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day.

Hon. Monique M. Smith: We have no further business today, Mr. Speaker.

The Deputy Speaker (Mr. Bruce Crozier): There being no further—

Hon. Monique M. Smith: I move adjournment of the House.

The Deputy Speaker (Mr. Bruce Crozier): I was really anxious to get going.

Ms. Smith has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

This House is adjourned until 9 of the clock on Tuesday, December 8.

The House adjourned at 1607.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
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Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
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Balkissoon, Bas (LIB)	Scarborough–Rouge River	
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Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
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Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB)	St. Paul's	
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
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Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
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Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
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McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
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Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
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		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
		Government House Leader / Leader parlementaire du gouvernement
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Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakubski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

Ontario Energy Board Amendment Act (Door-to-door Electricity Retail), 2009, Bill 230, Mr. Brown / Loi de 2009 modifiant la Loi sur la Commission de l'énergie de l'Ontario (vente d'électricité au détail par voie de démarchage), projet de loi 230, M. Brown	
First reading agreed to.....	9083
Mr. Michael A. Brown.....	9083

MOTIONS

Order of business	
Hon. Monique M. Smith	9084
Motion agreed to	9084

PETITIONS / PÉTITIONS

Taxation	
Mr. John O'Toole.....	9084
Rail line expansion	
Ms. Cheri DiNovo.....	9084
Public transit	
Mr. Mike Colle.....	9084
Taxation	
Mrs. Joyce Savoline	9085
Employment insurance	
Mr. Mike Colle.....	9085
Taxation	
Mr. Ernie Hardeman.....	9085
Diagnostic services	
Mme France Gélinas	9085
Mental health services	
Mr. Bill Mauro	9085
Taxation	
Mr. Robert Bailey	9086
Public transit	
Mr. Mike Colle.....	9086
Hospital funding	
Mr. John O'Toole.....	9086
Taxation	
Mr. Robert Bailey	9086
Taxation	
Mr. Ernie Hardeman.....	9087
Sale of domestic wines and beers	
Mr. Robert Bailey	9087

ORDERS OF THE DAY / ORDRE DU JOUR

Animal Health Act, 2009, Bill 204, Mrs. Dombrowsky / Loi de 2009 sur la santé animale, projet de loi 204, Mme Dombrowsky	
Hon. Leona Dombrowsky	9087
Mr. Ernie Hardeman.....	9088
Mr. Howard Hampton	9091
Mr. Rick Johnson	9094
Mr. John O'Toole.....	9095
Third reading vote deferred.....	9095
Time allocation	
Hon. Monique M. Smith	9095
Mr. John O'Toole.....	9095
Mr. Howard Hampton	9097
Mr. Ted Chudleigh.....	9098
Mrs. Christine Elliott.....	9098
Mr. Ted Arnott	9099
Mr. Norman W. Sterling	9100
Ms. Cheri DiNovo	9101
Mr. Frank Klees	9105
Vote deferred.....	9106
Barrie-Innisfil Boundary Adjustment Act, 2009, Bill 196, Mr. Watson / Loi de 2009 sur la modification des limites territoriales entre Barrie et Innisfil, projet de loi 196, M. Watson	
Third reading vote deferred.....	9106
Order of business	
Hon. Monique M. Smith	9106
Motion agreed to	9106
Allaura Investments Limited Act, 2009, Bill Pr15, Mr. Klees	
Second reading agreed to	9106
Allaura Investments Limited Act, 2009, Bill Pr15, Mr. Klees	
Third reading agreed to	9106
1516495 Ontario Inc. Act, 2009, Bill Pr18, Mr. Ramsay	
Second reading agreed to	9106
1516495 Ontario Inc. Act, 2009, Bill Pr18, Mr. Ramsay	
Third reading agreed to	9106
Cen-Tower Investments Limited Act, 2009, Bill Pr25, Mr. Bailey	
Second reading agreed to	9107
Cen-Tower Investments Limited Act, 2009, Bill Pr25, Mr. Bailey	
Third reading agreed to	9107
Brismair Property Management Inc. Act, 2009, Bill Pr27, Ms. DiNovo	
Second reading agreed to	9107

**Brismair Property Management Inc. Act, 2009, Bill
Pr27, Ms. DiNovo**

Third reading agreed to..... 9107

1105481 Ontario Inc. Act, 2009, Bill Pr28, Mr. Kular

Second reading agreed to..... 9107

1105481 Ontario Inc. Act, 2009, Bill Pr28, Mr. Kular

Third reading agreed to..... 9107

CONTENTS / TABLE DES MATIÈRES

Monday 7 December 2009 / Lundi 7 décembre 2009

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Ms. Cheri DiNovo.....	9071
Hon. Monique M. Smith	9071
Mr. John O'Toole.....	9071
Hon. Kathleen O. Wynne	9071
The Speaker (Hon. Steve Peters).....	9071

ORAL QUESTIONS / QUESTIONS ORALES

Workplace Safety and Insurance Board

Mr. Tim Hudak	9071
Hon. Dwight Duncan	9071

Workplace Safety and Insurance Board

Mr. Tim Hudak	9072
Hon. Dwight Duncan	9072

Taxation

Mr. Paul Miller.....	9073
Hon. Dwight Duncan	9073

Taxation

Mme France Gélinas	9073
Hon. Dwight Duncan	9074

Child protection

Ms. Sylvia Jones	9074
Hon. Christopher Bentley.....	9074

Taxation

Mr. Rosario Marchese	9075
Hon. Dwight Duncan	9075

Taxation

Mr. David Zimmer	9075
Hon. John Wilkinson.....	9076

Workplace safety

Mr. John Yakabuski	9076
Hon. Dwight Duncan	9076

Aboriginal children's services

Mr. Gilles Bisson	9077
Hon. Laurel C. Broten.....	9077

Greenhouse gas emissions

Mr. Phil McNeely	9077
Hon. John Gerretsen.....	9077

Municipal funding

Mr. Garfield Dunlop	9078
Hon. Dwight Duncan	9078

Diagnostic services

Mme France Gélinas	9078
Hon. Deborah Matthews	9079

Flu immunization

Ms. Sophia Aggelonitis	9079
Hon. Deborah Matthews	9079

Hospital services

Mr. Ted Chudleigh	9080
Hon. Deborah Matthews	9080

Diagnostic services

Mme France Gélinas	9080
Hon. Deborah Matthews	9080

Annual report, Auditor General

The Speaker (Hon. Steve Peters).....	9081
--------------------------------------	------

Notice of dissatisfaction

The Speaker (Hon. Steve Peters).....	9081
--------------------------------------	------

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Firefighters

Mr. John O'Toole.....	9081
-----------------------	------

Student achievement

Mrs. Carol Mitchell.....	9081
--------------------------	------

Victims of crime

Mr. Ted Chudleigh	9081
-------------------------	------

Merv Smith

Mr. Kevin Daniel Flynn	9082
------------------------------	------

Taxation

Mr. Garfield Dunlop.....	9082
--------------------------	------

Human rights

Mr. Peter Tabuns	9082
------------------------	------

Renewable energy

Mrs. Liz Sandals.....	9082
-----------------------	------

Taxation

Ms. Helena Jaczek.....	9083
------------------------	------

Taxation

Mr. Dave Levac.....	9083
---------------------	------

Continued on inside back cover



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Première session, 39^e législature

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Tuesday 8 December 2009

Mardi 8 décembre 2009



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 8 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 8 décembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the Jewish prayer.

Prayers.

ORDERS OF THE DAY

INTERPROVINCIAL POLICING ACT, 2009

LOI DE 2009

SUR LES SERVICES POLICIERS INTERPROVINCIAUX

Ms. Smith, on behalf of Mr. Bartolucci, moved third reading of the following bill:

Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act / Projet de loi 203, Loi visant à permettre une meilleure coopération avec les autres provinces et les territoires du Canada en ce qui concerne les services policiers transfrontaliers et à apporter des modifications corrélatives à la Loi sur les services policiers.

The Speaker (Hon. Steve Peters): Debate?

Mr. Garfield Dunlop: I'm pleased to rise this morning and speak for a while on Bill 203. As I think we've mentioned earlier, and a number of times, our caucus will be supporting this piece of legislation. We think that Bill 203 helps police officers across our province and our country perform their duties at a higher level, and would be somewhat of an additional tool they could use to perform their duties in communities. Obviously, we would want to support that.

I myself met with Chief Dan Parkinson of the Ontario Association of Chiefs of Police, and he has mentioned that his particular organization had absolutely no problem with it. I met as well with the Ontario Association of Police Services Boards, who had some very small issues with the bill; however, that would be corrected in regulation. It's very seldom we can stand in this House and support each other on a piece of legislation, but this one seems to be something that we are content to have.

I want to put a couple of quotes on the record. To quote Chief Dan Parkinson, the president of the Ontario Association of Chiefs of Police: "The proposed legislation would assist Ontario police services to work closely

with our policing partners in Quebec to keep our communities safer. Law enforcement organizations in Ontario already work across jurisdictional lines to fight crime. We need to also work across provincial borders to be as effective as possible in preventing and addressing crimes."

As I said, that's by the Chief Dan Parkinson, president of OACP. He has told me that they do support the bill and look forward to its implementation and to any benefits to the policing community and to public safety in general.

My understanding is that the legislation is based on the Uniform Law Conference of Canada model for cross-border policing. The model serves as an example for Canadian jurisdictions to follow when drafting cross-border policing legislation. I also understand that Manitoba, Saskatchewan, Nova Scotia and New Brunswick have already enacted similar legislation; that should not be a problem. I think that as we move forward, our party would want to see any problems that might possibly arise from this, but I don't think it will be too detrimental at this time.

While I've got the floor—we were talking about the policing community and the province of Quebec—I had an interesting evening on Saturday night. We had a memorial service on December 6 at the Penetanguishene Centennial Museum, in memory of the 14 young university engineering students who lost their lives 20 years ago at L'École Polytechnique in Montreal; it was the 20th anniversary. At that particular memorial service, a number of community leaders—the mayors, the provincial member—myself—the police chief of Midland and a representative from the OPP—all spoke about what we can all do to bring an end to violence against women.

I think that tragedy in Montreal set the bar for all types of conversations and potential legislation. It is interesting that because it happened in Montreal, we have these agreements; they are cross-border. However, with violence against women in domestic disputes there's really no border and we all have to do better than that. It was interesting that the police chief of Midland spoke in favour, as did OPP Constable Robin Chiasson, who spoke on behalf of the OPP. As I mentioned earlier, Chief Mike Osborne, from the town of Midland, spoke as well. Both said that we had to do better, and we all made commitments to do a better job.

I thank La Maison Rosewood Shelter for hosting this event; it will be a yearly event in Midland–Penetanguishene. It's an area of policing and an area of community service that I think we have to do better in.

As we move forward with this legislation—I understand this Legislature is coming to a close in a few days—obviously, there are a lot of things that our party is very upset about. We are not happy at all that some of the legislation has been rammed through. However, this bill is one that we can support, although we won't be supporting most of the other pieces of legislation that the Liberal government has brought forward.

I thank you, Madam Speaker, for the opportunity to say a few words today in third reading debate on Bill 203. I hope that in the end this turns out to be a very positive bill for the policing community and for public safety in Ontario. I look forward to comments from other members as we finish third reading debate.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Howard Hampton: This is what you call “just-in-time debate.” There are a couple of things that New Democrats continue to have concerns with in terms of this bill. They were raised at committee by people who took the time out of their busy lives to come and comment on the bill, and they were raised by people who actually took the time to do some research on their own; people who looked at the legislation in Manitoba and Saskatchewan, people who looked at the situation in the Maritimes, who looked at the current course of events.

0910

On third reading, I want to raise again the issues that were raised by those individuals, because our concern should always be to ensure that we pass good legislation; and where we don't pass necessarily good legislation, that the public has an opportunity to say why they think there are some problems.

There are essentially two remaining problems with this bill. The first problem concerns an issue of accountability and reporting. All we need to do is read the front pages of any newspaper over the last six or seven months. The situation which happened at the Vancouver airport—there are many issues which flow from the unfortunate death of an individual at the Vancouver airport. One of the issues that flows from that is the issue of who police services report to, what the line of responsibility is, in terms of holding people to account, but also in terms of instructing police officers on given procedures in a given location or in a given region.

I believe there is still an area in this bill where it is not clear what the alignment of responsibility and accountability will be. So let me give a hypothetical example: Let's say that for whatever reasons, members of a police service in Manitoba come to Ontario. They come to Ontario, let's say, at the request of police services in Ontario. Let's just assume that they are asked to come and they are asked to participate in a project or in an ongoing investigation of some kind in the greater Toronto area.

I think anyone would recognize that providing police services in the greater Toronto area is a complicated issue, becoming more complicated all the time. Let's be clear: The city of Toronto is not one homogenous blob; the city of Toronto, for example—and I think the same

goes for the GTA—is a series of communities, sometimes defined by income, sometimes defined by ethnic origin, sometimes defined by language, sometimes defined by the kinds of economic or social activities that prevail in the given neighbourhood. So providing police services or working with police services in the GTA, or indeed the city of Toronto, would not be an uncomplicated thing.

I believe if you read the legislation, it is not clear who, in terms of local police services, should be held accountable and responsible in terms of detailing for those police services that come from outside the province exactly what their responsibilities will be and exactly how the reporting should happen. I know we received some assurances—I think they were vague assurances—from the civil service staff who were present that this would be looked after; it may. But it is not clear in the legislation how accountability, how responsibility between the local police service and the police service that comes from outside the province is going to happen.

Now, if I were a member of a police service coming from outside the province and it was not clear to me the lines of responsibility, the lines of accountability, who I was to report to etc. and what the expectations were on me, I might feel a bit uncomfortable about that. And I think someone coming into Ontario from outside the province, reading the legislation, would feel somewhat uncomfortable.

I think it's a reality of human experience that as long as things are going well, everybody is fine. As soon as something does not go well, everyone is looking for someone to blame or someone to hold responsible. I think the legislation should be clear in terms of lines of accountability, lines of responsibility, both for police services from coming outside the province and with respect to individual citizens in the province of Ontario.

Now, there's another issue that I think remains somewhat fuzzy when you read the legislation. I wish that in terms of police services everything always worked A-okay, but knowing what human frailties are and recognizing the historical condition of societies, things are not always A-okay. So the issue of police discipline is raised. I believe, if you read the legislation, there is still an uncertainty and vagueness about how an individual citizen who perhaps feels that they have a grievance with a police officer who comes to Ontario from another jurisdiction, how they pursue that issue of police accountability and discipline.

I don't think this is good for individual citizens; I don't think this is good for individual police officers. And if it's not good for individual citizens and it's not good for individual police officers because there's uncertainty or vagueness, I don't think it's good for policing as a whole.

New Democrats wish these issues had been addressed. We wish these issues had been addressed in a more thoughtful fashion so that not only citizens but police services would know exactly where the lines of responsibility, accountability and reportability rest.

Now, I think part of the reason that this has happened is, once again, this is a time allocation. The government is more interested in simply ramming through the legislation than it is interested in dotting the i's, crossing the t's and thoughtfully addressing the issues that have been raised. This is how we end up with legislation that, two or three years later, someone looks at and says, "Gee, you know, that should have been addressed at the time," or, "That should have been more thoughtfully addressed at the time."

Yes, this will facilitate some interprovincial policing services, it will lessen the complication of interprovincial policing services, and for that reason New Democrats can support the bill. But we want to be very clear: There are really important issues in this bill and in this sphere of policing that have not been addressed by the legislation, and if they have been addressed, they've been addressed in such an uncertain and vague way that we believe it will lead to complications and troubles down the road. For that reason—I will say it again—this government should have taken more time, they should have allowed more public discussion, they should have asked for more public discussion outside the environs of the greater Toronto area. We should have taken more time to look at the experience of legislation like this which has already been passed in provinces like Manitoba and Saskatchewan. We should have ensured that Quebec is in fact going to introduce and proceed with legislation.

I ask this of the parliamentary assistant: Has Quebec in fact introduced their legislation? What stage is their legislation at, and how does their legislation correspond with Ontario's legislation?

These are all things that should have been addressed.

0920

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Dave Levac: Thank you for this opportunity to address the third reading of Bill 203.

First, let me start by thanking the members from Simcoe North and Kenora–Rainy River as respective critics that are dealing with this. I understand that the member from Kenora–Rainy River was kind of checked into duty as a result of our friend Peter Kormos's, the member from Welland, inability to deal with the bill. Having spoken to him previously, I want to thank all those members for their input, their desire to see that this legislation gets passed, their support and the questions that have been raised.

First, let me deal with the member for Simcoe North's concern about the police services board. Indeed, he is correct that there was an understanding—and staff have already started to deal with this—that the concerns that were raised by the police services board would be dealt with in regulation. We felt that a regulatory stream in this particular case with their requests could be dealt with a lot easier, and better, in a regulation format. We believe that the police services board's organization has agreed that this is the way to go and has accepted that responsibility that the government has made the commitment on.

On the member from Kenora–Rainy River's comments, just to make a couple of points: I don't know that I subscribe to his characterization of it being too vague. What I do agree with is that when he did bring a couple of points to the floor, we did recess to address some of the concerns that he raised; we in fact did deal with the one issue, First Nations, that he'd brought as a concern to the floor. We did change, by amendment, a couple of issues in the legislation to address that specifically, and I'll address that in a more formal way in a moment.

On the regulation format with regard to indemnity, liability, responsibility and discipline in the bill, there are also regulations that are going to be dealt with that specifically talk to him. I committed to him then and I can report back that staff have taken those concerns under advisement and will try to bring a little bit more certainty to—I don't know if it would satisfy him, to be honest with you. But it would bring more satisfaction to him, I believe, about the concerns regarding the discipline and who.

What I did discover, with questioning, is that it would still be the responsibility of the out-of-province service to deal with that, but there's going to be a built-in co-operative nature: The regulation would imply that the information that would be necessary for that disciplinary panel would be shared between provinces. I hope that that would deal somewhat with the concerns that he has laid out.

In terms of Quebec, my understanding is that as of a month or so ago, there was a framework for the legislation; and just recently, within the last couple of weeks, my understanding is that the legislation has been presented, and yes, it's very much a mirror of what Ontario's legislation was about. I can assure him that Quebec is pursuing this with as much vigour as we have in ensuring that we have the legislation in place to take care of the issues that we talk about in terms of special constables.

Let me make sure that the three foundations we're talking about are laid out. First, there's fresh pursuit. That is the area that does not get affected by this piece of legislation. Fresh pursuit is something that requires no legislation, because it's already in an agreement that if somebody is following somebody from Ontario to Quebec, under the possibility of a Criminal Code charge, that continues. That is not being affected by this piece of legislation. That's an important point.

The other two pillars are the ongoing investigation component of this particular special constable allocation, and that's the piece that is actually going to be very beneficial for us; and the second one is special events, such as the G8, the Olympics, royal visits, which we've talked about in this House before and at committee, where we need to have co-operation between provinces all the way through. We're hoping that applies to this piece of legislation, because under that circumstance—I'll explain a little bit later as to how that can have an impact and an effect on our capacity for special constables.

So I hope I've dealt with a couple of those issues that the two members have brought up.

I would also say that police services in Ontario and other provinces have asked for this type of legislation to allow police officers to retain their powers when they travel to another Canadian jurisdiction on police matters.

One of the things that's interesting is that there have been two or three people that I've spoken to about this issue off the cuff, and they were surprised that we don't have that authority already. They assumed that the fresh pursuit piece was the one that was allowed right across the board and that it applied to investigations and special events. They were not aware that we didn't have this kind of agreement in place. Although we have other provinces that have moved toward this over the last few years, Ontario does not have that yet, and that's why we're seeing this particular piece of legislation.

The other comment that came up a couple of times in the House—and I hope we've brought the temperature down on that one—was, "What about the RCMP?" Well, they already have that authority. It's a built-in federal service that has authority to be—we've got something like 1,500 RCMP officers in Ontario already working and acting on behalf of safety and security, so they have that authority already.

Without this legislation, when it's necessary for a police officer from another Canadian province or territory to work in Ontario, the police officer must be appointed temporarily as a special constable by a police services board or the OPP commissioner, with the approval of the ministry.

This special constable system was not designed to address provincial cross-border policing, and it's ineffective for those types of appointments that we're talking about, which are on the two pillars of special events and on-going investigation. The system does not automatically allow for an out-of-province police officer to have the powers of an Ontario police officer and does not address the oversight, the discipline and the civil liability pieces that we're talking about and that were brought up by the member from the NDP. Conversely, Ontario police officers do not automatically retain their authority when they cross provincial boundaries.

Because of these important points, our police partners such as the Ontario Association of Chiefs of Police, the Ontario Provincial Police Association, and the Police Association of Ontario support the legislation for extra-provincial policing. They think that it's the best way to go.

I know I'm already being positively heckled by the members of the opposition who are telling me they don't need the details that are found inside of this because they really are onside and they want us to pursue this legislation vigorously, but we have to take our time to make sure that we get it right.

As far as that goes, I want to come back to the member from Kenora-Rainy River, who asked me about the public hearings and such. When we had that opportunity to present, three people signed up and two actually showed up to present. I don't know whether or not that's an indication of whether people were aware of the bill or

what the rights were. One deputation did bring up a concern for civil liberties, and inside of that, one of the things I didn't agree with was the assumption that it was giving extreme powers to the police. That is not the case with this legislation. I confidently say to that deputation that the concern was laid on the table and the questions were asked as to whether or not it was giving extra power to the police officers. It does not give any extra power to the police officer. I want to make that point clear. You have the same powers within the province that you are attending to—no special powers, no extra powers, no powers over and above what's already in existence in those provinces. Quite frankly, it was a smart thing to ask that question, because it made sure that we are not providing police officers with any extraordinary powers that would allow them to do anything less to a civilian.

The problem here is that we have to make sure we stay focused on exactly why we're introducing this bill: It's to make sure that the bad guys are not getting away with things that—because of the type of legislation we presently have, we're not empowering the police to do what they should be doing, and can be doing already, in each of the provinces that we're talking about. With an increased incidence of interprovincial crime, it's vital to coordinate our efforts, and that's precisely why we're doing what we're doing. I believe the streamlined opportunities we have here are a step forward in the puzzle that I said was in existence before; that this piece of that puzzle ensures we have an opportunity to go after the bad guys.

0930

If adopted into law, the bill would give the Minister of Community Safety and Correctional Services the authority to designate officials who would receive and decide on applications from police commanders from other provinces and territories to have their officers designated as extra-provincial police officers with full policing powers in Ontario. Under the terms of the proposed legislation, the Minister of Community Safety and Correctional Services would designate one or more persons in Ontario as officials with the power to appoint an extra-provincial police officer as a police officer in Ontario. An extra-provincial or out-of-province police service that wishes to obtain police officer status for one or more of its police officers would be required to make a written application to an appointing official in Ontario.

An appointing official may appoint an extra-provincial police officer as a police officer in Ontario for a period of no more than three years, subject to any conditions imposed by that appointment—therefore the accountability concern that has been raised. The appointing official would be required to make the decision within seven days after receiving the request. There's one option in there for a 72-hour turnaround in the special circumstance of an extremely time-sensitive investigation of a crime that could be committed.

Bill 203 would allow municipal police chiefs and territorial police chiefs—referring to the amendment that was made to include First Nations—and OPP detachment

commanders to extend police powers for short periods of time in urgent circumstances within the 72-hour turnaround that I referred to. Once approved, the appointment would be effective on the date indicated on the appointment form. Similar legislation in other Canadian provinces and territories would grant reciprocal authority to Ontario police officers working outside Ontario.

Let me move to the SIU. This will provide increased accountability. An out-of-province police officer would be subject to an investigation by the SIU and required to co-operate with such investigations under the agreement. The new legislation would allow the public to lodge complaints against an out-of-province police officer and for investigations of those complaints to take place in Ontario, hence the accountability. Disciplinary proceedings, if warranted, would remain the responsibility of the out-of-province police officer's home province. But as you can see, with that SIU investigation, the accumulated information would be shared with the other province, which kind of plugs the hole that was considered to be in the legislation.

Manitoba, Nova Scotia, Saskatchewan and New Brunswick have already adopted province-wide cross-border policing legislation that establishes a process for granting authority to out-of-province police officers. All provinces, including Ontario and Quebec, have used the Uniform Law Conference of Canada model as a legislative base, so they're quite in harmony with each other, and it provides us with an opportunity to be assured that this piece of legislation is not being used for anything other than to ensure that we're going after the bad guy.

This model was developed by a working group with representatives from Nova Scotia, Quebec, Justice Canada, the Solicitor General for Canada, Manitoba and Saskatchewan. The working group consulted various police groups, such as the Canadian Association of Chiefs of Police, the Canadian Police Association, the Canadian Association of Police Boards and the Canadian Association for Civilian Oversight of Law Enforcement, to ensure that the draft legislation was responsive to police needs in each of the provinces.

Ontario has been in discussion with Quebec for some time concerning implementation, and signed an agreement at the previous first ministers' meetings. Ontario's proposed cross-border policing issues are generally in line with those of Quebec. This is very important, not only give the geographic proximity, but also for the frequent co-operation between Ontario and Quebec police forces. We're pleased that just last month, the Quebec government introduced and passed in principle legislation on cross-border policing that we were working on with Quebec.

I honestly believe that the legislation supports Ontario's commitment to public safety by allowing all extra-provincial police officers to apply for and obtain extra-provincial police status in a timely manner. This type of legislation avoids the unnecessary delays in operations or investigations and, secondly, enhances the enforcement ability of extra-provincial police officers conducting investigations and operations in Ontario, thereby doing

what I said at the very beginning, which is an important part of this discussion all the way through: This is not about us versus them; this is about going after the bad guys. So Quebec, Ontario and subsequently all the other provinces have found a common bond: for us to chase after those bad guys. They have the capacity and the ability to modernize themselves as criminals. We have to do the same thing here.

I'll end by saying that I want to thank the staff that have worked so hard in providing me with the opportunity to engage in the discussion. I want to thank the minister for his trust and his support. I want to thank the opposition members for being thoughtful in their deputations about the bill. I also think that criminals will get the message loud and clear that if you think you're going to use politics to take us apart on the issue, you're sadly mistaken, and we're coming after you bad guys.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Pursuant to the order of the House dated December 1, 2009, I am now required to put the question.

Ms. Smith has moved third reading of Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 0936 to 0941.

The Acting Speaker (Mrs. Julia Munro): All those in favour of the motion will please rise.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bradley, James J.
Brotten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Crozier, Bruce
DiNovo, Cheri
Dombrowsky, Leona
Duguid, Brad
Dunlop, Garfield
Elliott, Christine
Fonseca, Peter

Gerretsen, John
Gravelle, Michael
Hampton, Howard
Hardeman, Ernie
Hoskins, Eric
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
MacLeod, Lisa
Mangat, Amrit
Martiniuk, Gerry
Mauro, Bill
Miller, Norm
Milloy, John
Mitchell, Carol
Moridi, Reza

Naqvi, Yasir
O'Toole, John
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qaadri, Shafiq
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Shurman, Peter
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Wilson, Jim
Wynne, Kathleen O.
Zimmer, David

The Acting Speaker (Mrs. Julia Munro): All those opposed?

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 56; the nays are 0.

The Acting Speaker (Mrs. Julia Munro): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Acting Speaker (Mrs. Julia Munro): Orders of the day.

Hon. Monique M. Smith: Government order G175.

The Acting Speaker (Mrs. Julia Munro): The bill is still in committee.

Hon. Monique M. Smith: No further business, then, Madam Speaker.

The Acting Speaker (Mrs. Julia Munro): This House stands recessed until 10:30 of the clock.

The House recessed from 0945 to 1030.

INTRODUCTION OF VISITORS

Mrs. Laura Albanese: I would like to welcome to Queen's Park a class from George Harvey high school, from the riding of York South-Weston. They will be in the gallery shortly.

Mr. Michael Prue: I have two guests I would like to introduce. The first is Shanthini Mylvaganam, who is the mother of page Saeyon, who is here today. She's from Beaches-East York, and we welcome her to the gallery to watch us and especially to watch her son. The second guest is Mr. Trent Reschny, who is also a guest from Beaches-East York, who is in the members' west gallery.

Hon. Jim Watson: I don't believe he's here yet, but I'd like to welcome Dave Arbuckle, who works for the region of Peel, and he has visited Ottawa before.

Mr. Ted Arnott: I would like to introduce my constituent Mark Douglas of Georgetown. Welcome, Mark.

Mr. John Yakabuski: I don't believe he's here yet, but I want to welcome him in case he does show up: George Smitherman.

The Speaker (Hon. Steve Peters): The honourable member from Renfrew-Nipissing-Pembroke knows we do not make reference to attendance of members.

Leader of the third party.

Ms. Andrea Horwath: I don't know if they've arrived yet, but I want to welcome Rick Pybus, chair of the OPSEU CAS sector; Tracy Rehel, president of Local 304, the York children's aid society; Aubrey Gonsalves, president of Toronto CAS; and Nancy Simone, from the Toronto CCAS.

The Speaker (Hon. Steve Peters): Seated in the Speaker's gallery, I'd like to welcome, from my constituency office, Anita Ratkovic-Baric, Craig Bradford, Kim Davis, her grandson Kristian Young, Veronika Sonier and her grandson Cole Sonier. Welcome to Queen's Park, all.

ORAL QUESTIONS

GOVERNMENT'S RECORD

Mr. Tim Hudak: My question is to the Deputy Premier. The auditor's 2009 annual report found that

Canada's worst government didn't learn a thing from the billion-dollar eHealth boondoggle. In fact, on the first page of his report, the auditor says that a culture has developed where Dalton McGuinty does not see getting maximum value for taxpayer dollars as any kind of priority.

After every scathing revelation of waste, Dalton McGuinty's eyes well up with crocodile tears and he promises that he will try to do better. Minister, why can't you understand the public doesn't want more promises? They want change that starts at the top.

Hon. Dwight Duncan: First of all, we do want to thank the Auditor General and his staff for the very good work they do, for the recommendations they bring forward on how we can, in fact, improve the delivery of the vital public services that Ontarians expect.

As he does every year, the auditor pointed out some areas where it appears that we have some work to do, and we are committed to doing that, to act on the auditor's recommendations. It's very important to follow up on those recommendations.

Interjection: As we have in the past.

Hon. Dwight Duncan: We have in the past, as my colleague says. It's important that we take into account his recommendations and the recommendations of other stakeholders as we move forward. And it is important to respond to the auditor. I know my ministerial colleagues and I and the Premier look forward to responding to the auditor's recommendations.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: The minister says that they have some work to do. I would say that is the understatement of the year. Minister, we've heard your phony promises time and time again. What the auditor has demonstrated is that a culture of entitlement has set in deep across the Dalton McGuinty government, and the Premier himself is to blame. It's not just me saying that; take the auditor's word, who urged the government to "spend the taxpayers' money like it is their own." But we're seeing the opposite from the McGuinty government. One example: For a monitor that would cost \$250 at Future Shop, the government paid some \$1,300 in taxpayers' funds. It begs the question: Were the computer vendors represented by Jason Grier or the Courtyard Group?

Hon. Dwight Duncan: We do believe in looking at what the auditor recommends and we do believe we need to shine light on these areas; that we need to have a higher standard. That's why we have expanded the powers of the Auditor General. That's why we opened up hospitals, schools, colleges, universities and crown corporations to value-for-money audits. We even opened Hydro One and OPG to the auditor for his scrutiny. What we've done is set a higher standard for everyone for more transparency, more scrutiny, more responsibility and more accountability.

I stress again that we take the auditor's recommendations seriously. We have an obligation to respond to those recommendations, and we will respond. Many of them, we have already taken steps on.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: In his report on the eHealth \$1-billion boondoggle, the auditor found consultants who were then allowed to hire other consultants, sometimes from their own firm. In his annual report, the auditor found that the procurement consultants at Ontario Buys similarly went and hired their own consultants. It's no doubt very ironic that consultants who were supposed to help improve procurement rules were they themselves breaking those very same rules.

I ask the Acting Premier: You know who got rich off these deals because it was your government that made them. Will you table the full list of consultants at Ontario Buys who got rich at taxpayer expense?

Hon. Dwight Duncan: The one point that I would note is that, in fact, those contracts were let by our broader public sector partners in most cases.

Let's review what Auditor Generals have said in the past, because the member talked about accountability and following the recommendations of the auditor. Here's what he said in his 2003 report: "It was apparent to us this year that there were far too many areas where prior-year concerns—often going back four, five, six or even 10 years—had not been satisfactorily addressed ... there is no excuse for a lack of effective action." In 2002, the Conservatives had only implemented 15% of the recommendations.

What did the Auditor General say yesterday? That this government had implemented more than 90% of his recommendations from 2007. We take him seriously. We take this Legislature seriously. We take committees—

The Speaker (Hon. Steve Peters): Thank you. New question.

SOCIAL ASSISTANCE

Mr. Tim Hudak: My question is to the Minister of Community and Social Services. The auditor's latest report reveals a new billion-dollar boondoggle happening under your watch, in your ministry. With eHealth and now this, two thirds of your HST tax grab is being committed to McGuinty Liberal scandals. Minister, the auditor found that you're doing a poor job of assessing who should be getting welfare, and the result: You've made over \$1 billion in overpayments to welfare and the Ontario disability support program. I ask the minister: Will the people who scammed the welfare system also receive your \$1,000 HST bribe cheques?

The Speaker (Hon. Steve Peters): I'd ask the honourable member to withdraw his last comment, please.

Mr. Tim Hudak: Withdraw.

The Speaker (Hon. Steve Peters): Minister?

1040

Hon. Madeleine Meilleur: I think that it's a good question, but I would like to remind the Leader of the Opposition that the overpayments started with the two parties who were in government before us. I would like to remind the leader of the third party that the \$1.1 billion

was there in 2003, when we came into power. Any overpayment is not acceptable, and this government is determined to make sure that the overpayments cease. We have created—

Interjections.

The Speaker (Hon. Steve Peters): I ask the member from Nepean to withdraw her comment, please.

Interjection.

The Speaker (Hon. Steve Peters): Thank you.

Hon. Madeleine Meilleur: Under this government, we have created the overpayment recovery unit and we will recover the money that is due to the taxpayers of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: This is another billion-dollar boondoggle on top of the eHealth scandal: a billion dollars of welfare abuse, fraud and overpayments detailed in the auditor's report. Let me give you one example, Minister. You received five complaints from five different people about one family that was driving new SUVs while receiving social benefits. The auditor is quoted as saying, "We had a number of audits that made our heads shake." Well, join the club. The auditor went on to say that this recipient is repaying that overpayment with \$60-a-month reductions in current income support. I ask the minister, why don't you just make them sell the SUVs?

Hon. Madeleine Meilleur: An excellent question by the leader of the opposite party. My notes indicated to me, about the family driving new SUVs, that the first complaint was in 1996. Who was in power in 1996? And why didn't the Tory government investigate the complaint? Second complaint: 1999. Who was in power at the time? What's the answer? Complaints against this were ignored. Investigated again in 2001: no complaint, no investigation. So we did it. We finished the investigation and we have established a repayment plan.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: So the minister's response is to simply sit on her hands. She won't ask them to sell the SUVs; she'll simply do a slap on the wrist.

In fact, another example was someone who received \$78,000 in overpayments. His current benefits were reduced by \$10 a month to pay it back. The auditor said that at that rate it would take 650 years to recover what you should not have paid out in the first place. Dalton McGuinty refuses to make any of his friends pay back Ontario taxpayers for the eHealth scandal. Does this minister have any intention of recovering the \$1.2 billion wasted under her watch?

Hon. Madeleine Meilleur: I would like to say that, yes, we will recover all of the \$1.3 billion in overpayments. Unfortunately, there is overpayment that dated to when this government was in power and they did nothing. We put together the overpayment recovery unit and we have a plan for everyone to repay overpayments, because this government does not accept that people receive taxpayers' money when they do not qualify for it. So we will continue to recover. But to say that we will be able

to recover from those who have left the country or those who are not in this world anymore, no, but—

The Speaker (Hon. Steve Peters): Thank you. New question.

TAXATION

Ms. Andrea Horwath: My question is to the Acting Premier. The McGuinty Liberals have spent the last few weeks doing their very, very best to ram the harmonized sales tax through this Legislature. They stifled debate, they refused province-wide hearings and last evening they walked out of a committee meeting, forcing the proceedings to stop. How can the McGuinty Liberals be so arrogant that they're not willing to listen to concerned Ontario families, or even have a reasonable debate on the harmonized sales tax?

Hon. Dwight Duncan: For the past nine months, we have engaged in a number of debates across the province—more than 40 hours of debate here in the Legislature. My caucus colleagues and I have done more than 160 public sessions. There has been, in our view, ample and prolonged debate. This debate will no doubt continue for a long time to come. We understand that. We respect that.

We look forward to having the vote again in this House. We look forward to having the vote on this important bill, which will lower taxes for Ontarians, which will help the most vulnerable in our society and which will help build a better and more prosperous future with more jobs, higher incomes and more capital investment.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: This government is in full damage control mode. Backbench Liberal MPPs are scrambling to defend their unfair tax on gas and home heating. Instead, they should be listening to Ontarians—Ontarians like John Newbigging of Hamilton, like Laura Feeney of Courtice and like Amanda-Lyn Smith of Orleans.

The McGuinty Liberals are walking out of committee hearings, limiting debate and doing everything they can to ram through the HST. How can they be anything but arrogant?

Hon. Dwight Duncan: We, in fact, have been debating this now for nine months. We've had more than 40 hours of debate here in the Legislature. We, in fact, watched the opposition walk out of question periods, refusing to use their time to question the government on that. We saw a very sorry spectacle last week where members of the opposition refused to listen to the Speaker.

We support this bill. People in Ontario know that. It is the right plan for Ontario. The nine months of debate we've had on it, the more than 160 public sessions, and the public committee hearings we've had, have given us the opportunity to hear from people. We've made a number of changes to the legislation since its introduction. We are committed to building jobs and a more prosperous future for Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, not listening? Refusing to listen? Walking out on meetings? It's like the pot calling the kettle black around here. What kind of a response is that?

You know, it's not just Joseph Morin of Peterborough, and Anita Linneki from Elgin county who will not have a chance to be heard. The McGuinty Liberals are so desperate to ram this bill through that they've even prevented their own message from getting out.

On Thursday, the Liberals used their majority to prevent the opposition from questioning their economic mercenary, Jack Mintz. They even shut him down. What does that say about the arrogance of this McGuinty Liberal government?

Interjection: We wanted Hugh Mackenzie to come. They said no.

Hon. Dwight Duncan: Yes. In fact, Mr. Mintz was the Conservatives' expert witness last year. He supports the government's policy.

There has been a lot of debate. We look forward to the opportunity to pass this bill, to pass one of the largest tax cuts in Ontario history and to create some 600,000 jobs for those people in Ontario who are looking for work to build better incomes and a better future for our children and their children. The times call for difficult choices. This government is prepared to lead; this government is prepared to build a better future for all Ontarians.

TAXATION

Ms. Andrea Horwath: Again, to the acting Premier: the McGuinty Liberals might ram the HST legislation through, but the fight is far from over—at least for New Democrats, it's far from over. Yesterday, I was in Ottawa with Jack Layton and Carole James, urging Liberal and Conservative MPs who are opposed to this tax to stand up for their constituents and vote no to the HST. The tax still needs to pass several parliamentary hurdles, as everyone in this chamber knows, including a vote on the \$4.3-billion bribe to Ontario.

What will the McGuinty government—

The Speaker (Hon. Steve Peters): I ask the honourable member to withdraw that comment.

Ms. Andrea Horwath: I withdraw, Speaker.

Including the vote on the \$4.3 billion dollars of sweetening-of-the-pot money that the federal government is giving to the Acting Premier.

My question is this: What will the McGuinty government do if Parliament actually refuses to pass on that sweetener?

1050

Hon. Dwight Duncan: We have put together, working with the federal government, a package of tax reforms for all Ontarians that will lower taxes for 93% of us and will create some 600,000 jobs. My understanding is that the HST legislation passed the federal House last week. There are some votes to follow from that. But this government remains committed to lowering taxes for

Ontario's most vulnerable, to doing what organizations like the Daily Bread Food Bank and individuals like Hugh Mackenzie said, which was to proceed with this. It will create jobs; it will lower taxes for the most vulnerable. As the Ottawa Citizen said in its editorial today in response to the leader's press conference yesterday, this is a substantive public policy. We choose that over stunts every time. It's the right thing. It's about a brighter future—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Andrea Horwath: Too bad for the people of Ontario that this government doesn't choose to listen to what they have to say, never mind stunts or anything else. The New Democrats, however, are standing up for the people of Ontario and for their families by taking this fight to Ottawa. Despite the best efforts of the McGuinty Liberals to close off debate and ram the HST through this House, it is far from a done deal. The Liberal benches in Ottawa were startlingly empty for the first HST vote. Conservative MPs vocally critical of the HST were missing too. Will the McGuinty government reconsider this unfair tax if Parliament says no to the \$4.3-billion sweetener?

Hon. Dwight Duncan: A week or so ago, the member said that the first vote would be lost, and it wasn't. I think it passed 130 to 29.

I don't think the member opposite has much credibility on this particular issue. I would suggest that she and her party not vote against doubling the senior property tax credit. I would suggest that she and her party not vote against making Ontario's tax rate for the lowest incomes the lowest in Canada. I would suggest that she follow the advice of people like Hugh Mackenzie and others who understand and see through the rhetoric and see through the stunts, that we need difficult choices to create jobs to provide a better future for our children and their children. Let's work together. This is difficult. We've had nine months of public debate. It's time to get on with it. It's time to lower taxes and give more Ontarians hope for a better and brighter future.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The Harper Conservatives are taking pages out of the McGuinty HST playbook. They refused public hearings and shut down debate. But MPs will have to vote on the \$4.3-billion sweetener to Ontario. They may very well reject that vote; they very well may, the way things are turning out these days.

My question is a simple one: Why won't this Acting Premier even talk about the possibility of the sweetener not flowing to this government?

Hon. Dwight Duncan: There was one recorded vote in the House of Commons: It was 132 to 29.

What I want to talk about is how to create 600,000 jobs. What I want to talk about is doubling the property tax credit for seniors. What I want to talk about is lowering consumer prices overall. What I want to talk about is making a brighter future for all Ontarians.

There's no doubt that this is a complicated tax package. We welcome the support of federal Conservatives in this. We welcome the support of the federal government with \$4.3 billion that will allow Ontarians to transition into this new tax system. After nine months of debate, 40 hours in this House, public hearings and clause-by-clause consideration, it's time to vote. I welcome the opportunity to vote and stand up for a brighter and better future for all Ontarians.

AGENCY SPENDING

Ms. Sylvia Jones: My question is for the Minister of Community and Social Services. This fall we learned about the extravagant expenses of Liberal friend Steve Mahoney, chair of the Workplace Safety and Insurance Board.

Mahoney isn't the only former MPP who's a Liberal who's billing taxpayers for outrageous expenses. Records obtained through the freedom of information reveal that Frank Miclash was given an additional allowance of \$2,300 a month to rent an apartment in Toronto when he was appointed acting chair of the Social Benefits Tribunal in May 2008. Why did you approve this expense, Minister?

Hon. Madeleine Meilleur: This is an excellent question. The reason why we've approved that is that the interim chair was coming to Toronto on an interim basis. Instead of living in hotels at \$250 a night, it was cheaper for him to have an apartment here in town. That's the reason why we have approved those expenses.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Sylvia Jones: I stay in a hotel in Toronto; it's \$150 for me, so I don't know where you're sleeping. The shelter allowance for a single mother on disability support is—

Interjections.

The Speaker (Hon. Steve Peters): Members will please come to order. The member from Cambridge is not being helpful.

Please continue.

Ms. Sylvia Jones: The shelter allowance for a single mother on disability support is \$714 a month. You gave your Liberal friend Frank Miclash over three times that for an apartment he expenses and uses as little as four times a month. The auditor's annual report found that ODSP, which Miclash reviews, wasted \$663 million. When the auditor said that the program failed to ensure that only eligible persons received funds, was he talking about your Liberal friend, Frank Miclash?

Hon. Madeleine Meilleur: I'm very surprised to have a question like this from a member whose party cut social assistance by 22%. Again, I'm going to repeat to them that when we came into power in 2003, the overpayment was \$1.1 billion under their watch, and they did nothing. Our government has a plan with those who have an overpayment to repay according to their capacity to pay. We have also established the overpayment recovery unit, and with that we have people who are dedicated to the

recovery. They may think it's funny, but we are serious about collecting these overpayments.

TAXATION

Mr. Michael Prue: My question is to the Minister of Finance. Because the McGuinty Liberals limited public debates and hearings into the unfair HST, people like Trent Reschny didn't get a chance to be heard. Trent is a full-time musician. He wanted to tell the committee about the impact that the HST—

The Speaker (Hon. Steve Peters): When we bring guests, and I am referring specifically to the gentleman in the chamber, please remain seated. Thank you.

Mr. Michael Prue: He wanted to tell the committee about the impact that the HST will have on his small business. He's in the Legislature, as we've just heard. How could the McGuinty government be so arrogant that they're unwilling to even listen to small business people and small business owners like Trent?

Hon. Dwight Duncan: We welcome the gentleman to the House, and we appreciate the challenges of a small business in Ontario, particularly in this economy. That's why we're cutting the small business tax rate by 18%. You're voting against that. That's why we are cutting personal taxes for modest-income Ontarians and doubling the sales tax credit. I doubt very much that my colleague took time to do that. I'm also given to understand that there were opposition time slots yesterday that weren't used because they didn't have people lined up.

So we are moving forward after more than 40 hours of debate. We welcome the public's participation in a variety of forums. I have met with the musicians' union myself. I've met with a variety of other stakeholders.

It's time to vote on this, it's time to create 600,000 jobs and it's time to work for a better and brighter future for all Ontarians.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: I trust that Trent and everyone else in the province just heard a non-answer. Trent is here with a specific question for the Minister of Finance. He's a hard-working musician whose income is just high enough to require him to charge GST, soon to be HST, but many of his gigs are weddings, where he's unable to claim input tax credits. With no savings to pass on to clients, he will have to charge the full 13% HST.

How can Trent operate a competitive business when he has to charge the HST and those below the line do not? While other similarly qualified musicians just below the income threshold do not charge it, he will be put at a great tax disadvantage, and you know it.

1100

Hon. Dwight Duncan: I obviously can't comment on specific tax cases. What I can say is, the tax package has been designed to accommodate people of modest incomes. We are cutting the first tax bracket for people of modest incomes. We are lowering the business tax rate for small businesses by some 17%. This tax package will result in some 93% of Ontarians paying less in overall

taxes. This is the most important package of tax reforms we can bring forward to create jobs to build a better future for people like Trent and others.

As difficult as the package is, I disagree with the NDP. I disagree with their approach. We're going to pass this bill. We are going to build a better future for our children and our grandchildren.

MANUFACTURING JOBS

Mr. Jeff Leal: My question is to the Minister of Revenue. My riding of Peterborough has a strong tradition of manufacturing innovation. Researchers at Trent University are involved in studies of global significance, helping to solve complex problems around the world. Recently, General Electric, one of the most innovative companies in the world, announced they are making a \$100-million investment in their Peterborough facility. This investment will create 33 new high-skill jobs and retain an additional 75 jobs, putting a higher focus on research and development for their large motors division.

GE Canada president and CEO Elyse Allan said, "It really was a recognition of how competitive Ontario has become on a global stage and our ability as a global company to invest here in Ontario, to grow here in Ontario and to have the ability to export around the world new technology and exciting products."

This is an example of what our—

The Speaker (Hon. Steve Peters): Thank you.

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Start the clock. Minister?

Hon. John Wilkinson: I want to thank the member for Peterborough for the question. There are two things that I would add. I believe that GE Canada, one of the largest, one of the most successful and one of the most innovative companies in the world, has made a wise decision by making a \$100-million investment in our province, and we are proud of that. Both GE Canada and this government are concerned about the jobs of the future for our children and our grandchildren. That future is brighter today in Peterborough because of that investment. I want to thank GE for recognizing the fact that by substantially improving the competitive position of Ontario businesses, they can make further investments in our province. They have a wonderful history, but we need a future based on new jobs. So we want to thank GE for making that investment.

I want remind the good people of Peterborough that there are two parties in this House that will stand in their place and say that we should not make changes to ensure that we have a brighter future for our children. That vote will be recorded, and we're looking forward to it.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jeff Leal: Investments such as those by General Electric are welcome news to the people of Peterborough who are looking for work. People rely on their jobs to provide for their families. The most important thing government can do is encourage investment for job creation.

Recently, University of Calgary economist Jack Mintz stated that an estimated 591,000 additional new jobs will be created. He also says it will increase overall annual worker incomes by up to 8.8%, or \$29.4 billion. The TD Bank estimates the HST will reduce the cost of doing business in Ontario by roughly \$5.3 billion, and that the majority of these savings will be passed on to customers within the first year.

My constituents in Peterborough want the straight goods. Tell us what the HST will mean for families in Peterborough looking for work.

Hon. John Wilkinson: Our package is designed to ensure that families have the dignity of a job, so that a mom and dad can put their kids to bed at night and say that they have a brighter future because they went to work today.

I remember in this place when the members of the official opposition were for cutting taxes and were for creating jobs. They're voting against that. I remember when the third party believed that we should have a more progressive tax system, but—

The Speaker (Hon. Steve Peters): Stop the clock for a moment, please. I just remind the honourable members of standing order 22, which speaks to the fact that you can speak in English or French, and you speak through the chair. Some members are very good at doing that. Others, I would much prefer that you be looking at me and not turning back and responding to the member. Please continue.

Hon. John Wilkinson: My apologies, Mr. Speaker.

I remember when the third party was for a progressive tax system that would see an increase of tax grants to those people of the least means. That's exactly what our package is doing; that's exactly what they're going to vote against. It is so important in the 21st century that we give to our people the hope and the dignity of a job, and that's exactly what inspires our tax package.

I'm so proud that GE Canada, one of the leading companies in the world, has decided to make this investment in the member's riding. It is so important for the future of Peterborough and for Ontario.

TAXATION

Mr. Ted Arnott: My question is for the Minister of Finance. A few minutes ago I introduced Mark Douglas of Georgetown, Mark the painter. In a letter to Mr. Douglas, which was dated February 21, 2008, the finance minister said he wouldn't agree to harmonizing taxes with the GST if it increased taxes, "particularly with respect to basic essentials such as home heating." I have the letter in my hands. Why did the minister say he was opposed to HST on home heating when evidently he was not?

Hon. Dwight Duncan: The member opposite knows full well that we have a package of tax changes. I was delighted when the federal Conservative government offered \$4.3 billion, which allows us to implement a range of tax cuts. This will, overall, lower taxes for 93%

of Ontarians. The support of Mr. Flaherty, Mr. Harper and the Conservative government has been very important, and your Conservative colleague from your riding. It has been very important to doing this.

This tax package is the right package of tax changes. It will lower taxes for 93% of Ontarians. I know the member doesn't want to acknowledge that this is supported by the federal Conservatives. It is, and they know that this is the right package of tax changes that will lower taxes for people like your constituents overall.

We're moving forward. It's about jobs. It's about a brighter future for all Ontarians.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Arnott: Evidently the minister thinks this is about the HST, but really it's a matter of whether you can trust the minister's words. He said in clear, unqualified terms that he wouldn't allow an HST to tax home heating, but his HST applies to home heating. The Premier said he believed in public hearings, but he does not. He also said that untendered contracts would stop, but they have not. Why do the McGuinty Liberals keep saying things that they do not mean?

Hon. Dwight Duncan: And here is what the member for Wellington-Halton Hills said on March 11 of this year: "They must follow the advice they sought from Roger Martin." And do you know what his advice was? To harmonize the HST.

Do you know what Mr. Klees said? He said, "No one can argue with wanting a more simplified tax process. I think we all support that."

And what did your leader say? Here's what your leader said: "To be clear, I believe that there's little sense in allowing two separate governments to apply two separate sets of taxes and policies and collect two separate groups of sales taxes." That was in April of this year.

I would say to your constituent that this party has a clear, consistent position; that is, to implement this tax reform package to create jobs for all Ontarians and to make a better future for everyone. That party and its leader have been all over the map. They used to support it and now they don't. They're—

The Speaker (Hon. Steve Peters): Thank you. New question.

1110

AFFORDABLE HOUSING

Ms. Cheri DiNovo: My question is to the Minister of Municipal Affairs and Housing. Yesterday the Auditor General issued a damning report on the state of Ontario's social housing: 137,000 Ontario families are languishing on waiting lists, in some cases for up to 21 years. The government has withheld \$330 million of federal housing funds. The government lacks up-to-date information on the condition of existing social housing units.

My question is: Does the minister agree with the Auditor General's report, that the government must do much better in delivering social housing?

Hon. Jim Watson: I thank the honourable member. I also thank the Auditor General for his observations and the work—

Interjection.

The Speaker (Hon. Steve Peters): I ask the honourable member from Cambridge to please withdraw his comment.

Mr. Gerry Martiniuk: I withdraw.

Hon. Jim Watson: I had an opportunity to meet with the Auditor General. We had a very good discussion on the work that our ministry has been doing in implementing the Canada-Ontario affordable housing program.

I'm very pleased to report to the House that in 2003, when the McGuinty government had the honour of forming government in this great province, \$8 million was being spent on capital for affordable housing; in 2009-10, \$664.8 million is being spent on affordable housing programs.

Every single time we bring forward a new initiative, whether it's the affordable housing program, rent supplements or the rent bank, who votes against it? The NDP. So I would tell the honourable member that when money comes forward in next year's budget for the second half of the Canada-Ontario affordable housing program, I would hope she would vote for—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Cheri DiNovo: One hundred and thirty-seven thousand families are waiting up to 21 years. The auditor said it all. He also reports that rents for the government's affordable housing program are not affordable for the majority of people waiting for housing. Housing advocates, including the Daily Bread Food Bank, have been calling for a \$100-a-month housing benefit to help address this lack of affordability.

Given the catastrophe, will the minister commit today, right now, to implementing this housing benefit?

Hon. Jim Watson: We're very proud of the fact that we have the most amount of money in a two-year period of any government in Ontario's history: \$1.2 billion that is going to be spent this year and next year.

When we brought forward the \$1.2 billion, what did the honourable member call it? She called it "crumbs." When we brought forward \$100 million in social housing and repair, what did she call it? She called it "meagre." Where I come from, \$100 million and \$1.2 billion is not crumbs, it's not meagre; it's an historical investment in helping some of the most vulnerable people in our society.

We're in the process of putting together a long-term affordable housing strategy. We had 13 public consultations—not one appearance by the honourable member, who's the critic for the NDP. She didn't show up once to explain what her position was. When we put forward \$36 million to help the people of Toronto in housing repairs, her party was promising \$30 million, and she still called it crumbs—

The Speaker (Hon. Steve Peters): Thank you. New question.

AFFORDABLE HOUSING

Mr. Yasir Naqvi: My question is for the Minister of Municipal Affairs and Housing, as well.

Minister, I do a lot of work in my riding of Ottawa Centre on affordable housing, and as you know, there's a continual need for more access to affordable housing—

Interjections.

The Speaker (Hon. Steve Peters): Member from Hamilton East turning your back to me, I can still hear you.

Please continue.

Mr. Yasir Naqvi: There's a continual need for more access to affordable housing across Ontario. Not only do we need to build more, but much of our current social housing is in need of repair. As a representative of a riding with the largest urban aboriginal population, it is evident in my city that some of those most in need are members of our aboriginal communities. They are some of the most vulnerable members of our society, and they need our help. There is a clear need for action in Ottawa Centre and across this province.

Minister, what is the government doing to ensure that members of our aboriginal communities have access to more and better affordable housing in Ottawa?

Hon. Jim Watson: I thank the honourable member. I had the pleasure of being in his riding just a week ago, when we announced two very exciting local aboriginal housing projects that are part of a \$60-million investment we are making for aboriginal housing throughout Ontario. I'm pleased to report that 40 aboriginal households in Ottawa—40 aboriginal families in Ottawa—will benefit from this new affordable housing.

Across Ontario, we have recently announced that an investment of \$20.4 million will mean 144 more new homes to be created for aboriginal households. To quote Don McBain, executive director of Ontario Aboriginal Housing Support Services, "This" housing "announcement provides great opportunity for ... experienced urban aboriginal housing providers to reduce" waiting times "while stimulating the economy ... through new construction and building rehabilitation."

We're proud of the partnership that we've made with the aboriginal housing community. They're making the decisions, they're implementing the program, and they will be building the homes for these families.

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

If there are issues—I have talked before, and I heard the member for Hamilton East earlier, about "What about someone else?" I would just say that if members are out of their seats and they're causing some disruption with other members—I just want to ensure that the House flows smoothly. It may be best that the member for Don Valley East be in his seat.

Please continue, member from Ottawa Centre.

Mr. Yasir Naqvi: Thank you, Speaker. I'm glad to see that some progress is being made, but I'm keenly aware that our community members are eager to see

results come to bear in Ottawa and across Ontario, as I heard extensively during my public consultation on affordable housing held in my riding on August 19. Minister, my constituents expect action, and I hope that we can see this work begin as soon as possible.

I've observed that since becoming Minister of Municipal Affairs and Housing, you have often advocated the need for a national strategy for affordable housing. Public consultations on developing a long-term strategy for Ontario, which were led by your ministry, have now concluded, but the need for affordable housing is not Ontario's alone. What progress has been made in urging the federal government to begin developing their own strategy, and when can we expect there to be action towards an coordinated affordable housing approach across Canada?

Hon. Jim Watson: Last week I was in Gatineau, Quebec, with provincial and territorial housing ministers as well as the federal minister, the Honourable Diane Finley. We met in our first formal FPT meeting in close to four and a half years, and I raised, along with others, the need for a national housing strategy.

You know, when all three levels of government are working together in co-operation, great things can happen. Just yesterday, I was in the Banff-Ledbury community in Ottawa South to announce that 117 families in that community have seen major improvements, thanks to the funding from the social housing repair fund. One woman said it best: "It's beautiful. I have a new home. The heat is fixed. New windows. New screen doors. I feel like a dream come true."

I was joined by Jo-Anne Poirier, the president of Ottawa Community Housing; Councillor Maria McRae; and MP David McGuinty. We're proud of the work that we're doing in Banff-Ledbury and throughout the province of Ontario. We know that more work has to be done; that is why we've committed to \$1.2 billion—

The Speaker (Hon. Steve Peters): Thank you. New question.

SCHOOL BOARDS

Mrs. Elizabeth Witmer: My question is for the Minister of Education. The Auditor General was very critical of the spending practices of the literacy and numeracy secretariat, and also the use of certain school boards as banker boards to distribute \$288 million to other boards and third parties. Minister, why did you approve these banker board arrangements, and why was this money allowed to flow without any memorandum of understanding between the secretariat and the banker boards as to accountability and reporting requirements?

Hon. Kathleen O. Wynne: I want to acknowledge the recommendations of the Auditor General and to say that there is always more that can be done, but to also note that he notes that substantial progress has been made over the last five years. The number of children achieving level 3 on Education Quality and Accountability Office testing has increased, on average, from 56% in 2003-04

to 65% in 2007-08. He used those numbers because he didn't have the 2008-09 numbers. So at the core of his investigation, he found that there has been progress made and there has been value for money in the investments that we have made in the sector.

We are absolutely committed to attending to the Auditor General's recommendations. I think it's important to note that there's always more we can do in terms of accountability and the processes that are put in place to make sure that our school boards follow the best accountability practices possible.

1120

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Elizabeth Witmer: Mr. Speaker, through you again to the Minister of Education: I am very disappointed that the minister did not respond to the question that I asked regarding the use of banker boards and the lack of accountability, because not only do we see this transfer from banker boards to other school boards and third parties occurring without any transparency, without any accountability, and what someone suggested to me was akin to money laundering, but we have a secretariat who is paying these banker boards excessive administration fees.

I ask the minister again: What steps will you take to stop these inappropriate spending practices and make sure that all of the money is directed to the boards with the students most in need?

Hon. Kathleen O. Wynne: I think the member opposite is very aware, having been a Minister of Education herself, of the variation of sizes of boards and capacities across the province, and she's very aware that sometimes larger boards perform services for smaller boards in order to assure that there's a critical mass of capacity at a particular board. I think the member opposite understands that very well.

I've already said that we're paying very close attention to what the Auditor General has said. We will absolutely work to put those accountability measures in place. But at the core of the Auditor General's investigation was a question of whether children were improving in terms of their ability to perform tasks and in terms of their academic ability. What the Auditor General found was that there was improvement. So the dollars are being invested very wisely, but absolutely, we take the point that there's more that can be done to make sure there's—

The Speaker (Hon. Steve Peters): Thank you. New question.

CHILD PROTECTION

Ms. Andrea Horwath: My question is to the Minister of Children and Youth Services. The Auditor General reports that the McGuinty government is squandering billions and billions of dollars. At the same time, they're starving Ontario's child welfare and protection system. Agencies are on life support, knowing that their budgets simply are not enough to provide for a growing number of children who are coming into their care.

My question is a very serious one: What will happen to the highest-risk and most vulnerable children in this province while the minister fumbles around for a solution to this funding crisis?

Hon. Laurel C. Broten: I'm pleased to have an opportunity once again to remind the leader of the third party of the steps that this government is taking to find a pathway to sustainability for children's aid societies. It's our commitment to the kids of this province that drives us to find the right people, to bring them to the table, to find those solutions, to make sure that we can have better outcomes for kids. I am so pleased to have a chance to talk about the calibre and quality of people who have come to the table, who are serving on the commission to find a pathway to sustainability for child welfare.

I look forward, and I would encourage the leader of the third party to look at the calibre of the individuals who have stepped forward to help us in this initiative. We're absolutely committed to making sure that our children's aid societies are there for children, both in the short term and the long term. We will find a pathway to do that and we're absolutely committed to taking the necessary steps to protect Ontario's kids.

Ms. Andrea Horwath: This isn't about congratulating appointees to a commission, who I'm sure are all wonderful people. This is about the needs of the most vulnerable children in this province and the capacity of this government to deliver the services they need through agencies like children's aid societies. Forty-nine children's aid societies, some of whom are with us today, have told the minister that they are in a \$67-million deficit position—\$67 million. The McGuinty government made a reckless \$23-million budget cut to CASs and First Nations agencies last June. Now the ministry is advancing them next month's funding allocations to pay for last month's bills. Those advances are going to run out at the end of February and children will suffer as a result.

The McGuinty government must resolve the funding crisis that they've created. When will the minister fund the provincial child welfare and protection system up to the level that it needs to be funded to protect our children?

Hon. Laurel C. Broten: Let's remember the facts here and let's recall that this government has increased investment year over year to the child welfare sector. What we have done this year is we have said we cannot be on a pathway where each and every year child welfare agencies live beyond their means, that we must look at the specific issues that are challenging in their budgets. That is exactly what the commission will be doing.

I am absolutely committed to look at processes within my ministry, the paperwork and the requirements that are expected of child welfare agencies, and determine whether or not that paperwork needs to be filed in exactly the same way. We must innovate. We must find new pathways to deliver this critically important service.

That's why I attended the Ontario Association of Children's Aid Societies' meetings last week, took questions from the floor, spoke to individuals and the leadership,

and committed to them once again to work in partnership and to find this critical—

The Speaker (Hon. Steve Peters): Thank you. New question.

SCHOOL CLOSURES

Mr. Eric Hoskins: My question is for the Minister of Education. Minister, as you know, my riding of St. Paul's is home to many young families who send their children to publicly funded schools. I've heard from constituents in my riding who are concerned about the potential closure of some of our community schools. The parents of St. Paul's and I have seen several newspaper articles and reports over the past few months related to declining enrolment and school closures across Ontario, difficult situations for any community to face. It has been suggested that declining enrolment and school closures are due in part to a dated funding model. Minister, can you tell the House what changes this government has made to the funding formula and of the investments made to education?

Hon. Kathleen O. Wynne: I would like to thank the member for St. Paul's for his question and for his concern about this issue, because it is one. Declining enrolment and school closures are of concern to people in St. Paul's and across the province.

We're facing a problem that the previous government didn't actually face. There are 106,000 fewer students in our schools today than in 2003, and in the face of that, we've actually completed or are completing the building of 400 new schools since we came into office in 2003, because we've targeted those schools where the growth is and we've replaced schools that were out of date. We have made the funding formula less dependent on per-pupil enrolment. We've moved at least a third of that funding out of the per-pupil package into block funding, so that it recognizes the needs of boards despite the fewer students in the schools. That's a significant change. On top of that, we have invested more than \$5 billion in—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Eric Hoskins: Thank you, Minister, for your answer. As I mentioned, constituents in my riding are concerned about possible school closures in St. Paul's. There are four schools in St. Paul's that are currently subject to an accommodation review committee, or ARC, process. My constituents rightly have a strong attachment to these schools and are anxious about the impact of potential closures on their children's education and on the broader community. They are worried that their views will not be heard in this decision-making process.

As parents and community members, these individuals have the right to have their voices heard and can bring important perspectives on the situation. We must ensure that communities are involved in this important process. How can the Ontario government ensure that the Toronto District School Board's decisions are made with the full involvement of an informed local community in a legitimate and transparent process?

Hon. Kathleen O. Wynne: It's a very good question. One of the things we have done since we've been in office is we have brought in guidelines to require that school boards include community members, parents, members of the school community in that very important discussion about what the delivery of programs should be, because at the core of this discussion is what is the best program delivery for students. It's not really a question of bricks and mortar alone; it's about how we get the best program for kids. So the area review committee guidelines require that there be a discussion at the local level.

We've listened to communities since we put those guidelines in place. They've been refined in terms of the timelines, and the Toronto District School Board has had some input into that. So it's very important to us that we have a local process that is valid and that allows all of those voices to be heard. At the end of the day, those decisions have to be made by the board, with input from the local school community

1130

ABORIGINAL LAND DISPUTE

Mr. Toby Barrett: To the Acting Premier: Twelve days ago, I asked about the blockade of the Niagara-to-Caledonia power project, which ends at the Caledonia transformer station. Your Attorney General danced around the issue, didn't answer, and I doubt took any answer.

Last Friday night, December 4, I'm told that a truck drove directly at the Caledonia transformer station and rammed the security vehicle. I'm sure this was all caught on tape. My question: Has anything been done after I raised this issue 12 days ago and has anything been done to pick up the attacker?

Hon. Dwight Duncan: The Minister of Aboriginal Affairs.

Hon. Brad Duguid: There are a lot of issues, long term and short term, that have to do with the Douglas Creek lands. Our government is committed to working with all our partners, whether it be Hydro or whether it be the Ontario Realty Corp., who manage the properties, to ensure that, number one, the most important priority is public safety. Number two, our utmost important priority as a government is working with all of the parties together, Six Nations leaders and the local community, to build relationships so that we can move forward and try to build economic development opportunities in this region.

That's our priority. We'll continue to stick to that priority, and we'll certainly not be sidetracked by attempts to rabble-rouse in that area or attempts to do other things—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Toby Barrett: We're suffering—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. If the Minister of Finance and the member from Renfrew—

Nipissing–Pembroke want to have a discussion, which it appears is where they're going, I would much prefer that that discussion not take place within the chamber.

Please continue.

Mr. Toby Barrett: We're suffering three and a half years of provocation and intimidation in Caledonia, and it's clear that this McGuinty government condones and encourages this criminal behaviour.

Three and a half years ago at the same location, the Caledonia transformer station was torched. The security vehicle was set on fire after that. As you know, the road to the south and the land to the west and the north is an OPP no-go zone.

Acting Premier, or whichever minister wishes to answer: Has anything been done in the last three and a half years to protect vulnerable security personnel from these attacks? Secondly, is anything being done to prevent another million-dollar torching of the Caledonia transformer station?

Hon. Brad Duguid: Rather than trying to reopen these old wounds, I invite the member opposite to start working with us and taking the example of members like Dave Levac, a neighbour of his, or taking the example of some local members who are doing what they can to try to heal the wounds of the past.

My question to the member is this: When was the last time he talked to his federal counterpart, Diane Finley? When was the last time he recognized that this entire issue comes as a result of a 200-year-old land claim?

The progress that needs to be made is not being made at the bargaining table at this time. We need to continue to put pressure on the federal government. He should be putting pressure on his federal member, whom I do not see showing leadership in this area, and trying to ensure that the federal government is doing everything they can at the bargaining table. Currently, we don't believe they—

The Speaker (Hon. Steve Peters): Thank you. New question.

MINING INDUSTRY

Mr. Gilles Bisson: My question is to the Acting Premier. You will know that the city of Timmins and region yesterday were dealt quite a blow. Xstrata decided that they want to rationalize their Canadian metallurgical operations into the province of Quebec from Ontario. This means that after the concentrator, nothing will operate in regard to either the smelter or the refinery and all of those plants in between. This means 670 direct jobs at Xstrata and it means 1,000 jobs-plus when it comes to suppliers and others.

Your government has an ability to put a stop to this. You can do what the government of Newfoundland did and say that natural resources that come from the province of Ontario will be transformed and will be added value in the province of Ontario. You have that authority under section 91 of the Mining Act. Will you stand up for

the people of Ontario and Timmins and prevent this from going off to the province of Quebec?

Hon. Dwight Duncan: The Minister of Northern Development, Mines and Forestry.

Hon. Michael Gravelle: There's no question that this is very devastating news for the several hundred employees, as the member mentioned, who will be laid off. Certainly our hearts go out to them; I think I speak on behalf of all the members of the Legislature when I say that.

Certainly we are encouraged about the fact that Xstrata remains committed to the long-term success of the Timmins area and will continue to produce and develop from the Kidd Creek mine. But I also recognize that that does very little to ease the anxiety and the extraordinary concerns being faced by these families.

I can tell you that, indeed, that the Ministry of Training, Colleges and Universities has reached out immediately. We'll be working with them. We will do whatever we can. I had the opportunity to speak to Timmins mayor Tom Laughren yesterday afternoon, and I know that he is determined to continue to work to see a positive future for the area. I certainly plan to be in the Timmins area myself soon. I'm looking forward to working with them as well.

It's a terrible blow to the community, and we're going to do whatever we can to bring future prosperity into the community.

Ms. Cheri DiNovo: On a point of order, Mr. Speaker: On November 10, I was at a Parkdale housing consultation; on November 26 at—

The Speaker (Hon. Steve Peters): That's not a point of order. I thank the honourable member.

REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

The Speaker (Hon. Steve Peters): I beg to inform the House that I have laid upon the table an annual greenhouse gas progress report from the Environmental Commissioner of Ontario.

NOTICES OF DISSATISFACTION

The Speaker (Hon. Steve Peters): Pursuant to standing order 38(a), the member for Halton has given notice of his dissatisfaction with the answer to his question yesterday, given by the Minister of Health and Long-Term Care, concerning the expansion of the Milton hospital. This matter will be debated on Wednesday at 6 p.m.

Pursuant to standing order 38(a), the member for Parkdale-High Park has given notice of her dissatisfaction with the answer to her question, given by the Minister of Municipal Affairs and Housing, concerning public consultations. This matter will be debated on Wednesday at 6 p.m.

DEFERRED VOTES

ANIMAL HEALTH ACT, 2009

LOI DE 2009 SUR LA SANTÉ ANIMALE

Deferred vote on the motion for third reading of Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d'autres lois.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1136 to 1141.

The Speaker (Hon. Steve Peters): Ms. Dombrowsky has moved third reading of Bill 204. All those in favour will please rise one at a time and be recorded by the Clerk.

Ayes

Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Best, Margaret
Bisson, Gilles
Bradley, James J.
Brotten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight

Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hampton, Howard
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit
Marchese, Rosario
Matthews, Deborah
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Miller, Paul
Milloy, John

Mitchell, Carol
Moridi, Reza
Naqvi, Yasir
Oraziatti, David
Pendergast, Leeanna
Phillips, Gerry
Prue, Michael
Qaadri, Shafiq
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Sousa, Charles
Takharr, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): Opposed?

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Chudleigh, Ted
Dunlop, Garfield
Elliott, Christine
Hardeman, Ernie

Hudak, Tim
Klees, Frank
MacLeod, Lisa
Martiniuk, Gerry
Miller, Norm
Munro, Julia
O'Toole, John

Ouellette, Jerry J.
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 63; the nays are 21.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

TIME ALLOCATION

The Speaker (Hon. Steve Peters): We have a deferred vote on government notice of motion 170 on time allocation of Bill 168, An Act to amend the Occupational

Health and Safety Act with respect to violence and harassment in the workplace and other matters.

Call in the members. This will be a five-minute bell.

The division bells rang from 1145 to 1150.

The Speaker (Hon. Steve Peters): Ms. Smith has moved government notice of motion 170. All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Best, Margaret
Bradley, James J.
Broten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight

Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit
Matthews, Deborah
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol

Moridi, Reza
Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qaadri, Shafiq
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
Dunlop, Garfield
Elliott, Christine
Hampton, Howard
Hardeman, Ernie
Hudak, Tim

Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 28.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

BARRIE-INNISFIL BOUNDARY ADJUSTMENT ACT, 2009

LOI DE 2009 SUR LA MODIFICATION DES LIMITES TERRITORIALES ENTRE BARRIE ET INNISFIL

Deferred vote on the motion for third reading of Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / Projet de loi 196, Loi concernant la modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1154 to 1159.

The Speaker (Hon. Steve Peters): Ms. Smith has moved third reading of Bill 196. All those in favour will please rise and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Best, Margaret
Bradley, James J.
Broten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Craitor, Kim
Crozier, Bruce
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad

Duncan, Dwight
Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Mangat, Amrit
Matthews, Deborah
Mauro, Bill
McMeekin, Ted
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol

Moridi, Reza
Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qaadri, Shafiq
Ramal, Khalil
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
Dunlop, Garfield
Elliott, Christine
Hampton, Howard
Hardeman, Ernie

Hudak, Tim
Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Munro, Julia
O'Toole, John

Ouellette, Jerry J.
Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 27.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Be it resolved that the bill do now pass, and be entitled as in the motion.

Third reading agreed to.

The Speaker (Hon. Steve Peters): I'd like to take this opportunity to congratulate the Minister of Consumer Services, Ted McMeekin, on his birthday today. Happy birthday, Ted.

There being no further deferred votes, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1202 to 1500.

INTRODUCTION OF VISITORS

Mr. Peter Tabuns: It's my pleasure to introduce today Arden Ryshpan from Canadian Actors' Equity; Lynn McQueen, also from Canadian Actors' Equity; Dan Broome from the American Federation of Musicians. And from ACTRA: Chris Faulkner; Don Lamoreux; Norm MacAskill; Janesse Leung; Heather Allin, president; Joanna Bennett; Yannick Bisson; Wendy Crewson; Ferne Downey, national president of ACTRA; Dom

Fiore; David Gale; Chris Gauthier; Lyn Mason Green; Art Hindle; Tabby Johnson; Wayne Robson; Austin Shatz; Theresa Tova; Karl Pruner, past president; and Norm MacAskill.

The Speaker (Hon. Steve Peters): I want to take this opportunity to welcome three guests of mine in the Speaker's gallery: Wendy Farmer, Scott Anderson and Don Kilpatrick. Welcome to Queen's Park. I was hoping my mother would be here.

MEMBERS' STATEMENTS

ONTARIO MEDAL FOR POLICE BRAVERY

Mr. Frank Klees: The Ontario Medal for Police Bravery is awarded annually to courageous police officers to honour acts of outstanding heroism in the line of duty.

On November 27 of this year, I had the privilege to attend the Lieutenant Governor's presentation of medals for police bravery. Among the recipients were six York regional constables: Sean Boyes, Gregory Douglas Whyte, Sean Doran, Gilbert Farquhar, Wade McGhee and James Ward.

These officers distinguished themselves on Halloween night of 2008 in Richmond Hill when they came on the scene of a tragic two-car collision where one car had burst into flames with three people trapped inside. The officers reacted immediately to try to save the occupants by reaching through the flames for the passengers, of whom only the driver survived. All six police officers were transferred to hospital for treatment for smoke inhalation and burns. Without their heroic actions there would not have been any survivors.

I know that all members of the Legislature will join with me in paying special tribute to these six courageous York region police officers who so heroically put their own lives at risk to protect the members of their community. I want to pay tribute today to all police officers who daily place themselves in harm's way on our behalf.

KRAFT HOCKEYVILLE 2010

Ms. Sophia Aggelonitis: Dundas is a great community to be named Kraft Hockeyville 2010.

The J.L. Grightmire arena has seen many hockey greats since its opening in 1950. No other arena in the surrounding area features minor hockey, junior hockey, senior triple A hockey and women's hockey.

The triple-A Real McCoys are a powerhouse of hockey. They've won the Robertson Cup as Ontario champions four times in their 10-year history and they've competed for the Allan Cup three times.

Then there's the Dundas Blues. They've celebrated their 50-year anniversary developing great partners who continue to give back to their community.

Many players who got their start in the Grightmire arena have gone on to college or junior careers or even to the NHL, like Krys Barch who plays for the Dallas Stars.

The Hamilton Bulldogs and the Bulldogs Foundation will support Dundas in its bid to be named Hockeyville 2010 by holding a community practice at Grightmire arena at 11 a.m. this Saturday, December 12. I encourage all members to come out and see why Dundas is the best choice for Kraft Hockeyville 2010.

EGG FARMERS

Mr. Ernie Hardeman: I'm pleased to rise today to thank the Egg Farmers of Ontario for coming to Queen's Park this morning to provide members with a great omelette breakfast and to let us know what's going on in their industry. This is the 12th annual egg farmers' breakfast at Queen's Park, and as always, it was a great turnout.

I want to congratulate them on the great things that they are doing in their industry, including their commitment to research and innovation on production, animal health and advances like omega 3 eggs. I'm proud that some of the research that led to omega 3 eggs took place right here in Ontario in the laboratories in Guelph. I know that the Egg Farmers of Ontario are proud of their contribution to that research.

Recently in this Legislature, we have been debating animal health and traceability. Egg farmers are a great example of an industry that has taken steps to ensure food safety and quality among its members, with almost all egg farmers Ontario being certified under HACCP, or hazard analysis critical control points.

Egg Farmers of Ontario are working hard to let the people of Ontario know that eggs are rich in protein and a natural choice for an active lifestyle. But eggs are not only an important part of our diets; they are also an important part of our agriculture and provincial economy.

On behalf of the PC caucus and our leader, Tim Hudak, I want to reiterate our commitment to supply management, or orderly marketing, and thank the Egg Farmers of Ontario for coming to Queen's Park and serving eggs to us today.

MINING INDUSTRY

Mr. Gilles Bisson: As members know in this assembly, devastating news for the city of Timmins and region: Xstrata has decided to, as they say, rationalize their metallurgical division. That is a big buzzword for saying that they're going to take all the metallurgical services after the concentrator, and they're going to process that outside of the province of Ontario. Nothing can be more preposterous than allowing a mining company to say that they're going to do the processing of ore outside of this province.

We've seen this happen before in the history of Canada. We all know the story of Newfoundland, when Voisey's Bay was first discovered. The company said,

"We're going to mine, and we're going to take concentrate from this area and we're going to ship it outside of the province of Newfoundland and Labrador," in order to allow the company to make a little bit of extra money because they wouldn't have to build a metallurgical plant in that part of the province. Danny Williams, the government of the day, said, "No way. If you want to build this mine, you're going to process the minerals here." The Newfoundland government stood up to the company, and at the end of the day, those jobs are still there.

We're calling on this government to do that in the case of Xstrata. We've seen it happen first in Sudbury with some of the productions being shipped out of the province there. Now we're seeing an entire metallurgical division in the province of Ontario shut down to be transported out of the province when it comes to production.

This cannot be allowed to happen, and this provincial government has got to step up to the plate, do what they did in Newfoundland and say, by way of law, "You're not allowed to process minerals outside of this province." These are Ontario minerals. They're also Ontario jobs.

DIANA SWAIN

Mr. Kevin Daniel Flynn: It is a tremendous pleasure to rise in the Legislature today to congratulate Oakville resident Diana Swain on her recent Gemini Award for best news anchor in the country.

Diana, as many of us would know, is the wonderful host of the Toronto edition of CBC News at Six, and she's no stranger to success. She is a five-time Gemini nominee and has been continually recognized for the quality of her reporting, her writing and her hosting on CBC news programs.

Her Gemini for best news anchor is her second. She previously won the category in 2000, joining other notables on the list, such winners as Peter Mansbridge and Lloyd Robertson. Her work has been included in winning submissions for the Michener Award, Canada's award for commendable public service in journalism.

Her broadcasting and reporting career, which spans two decades at the CBC, has taken her across the country and around the world. Her work as co-host of Disclosure, an investigative news program, takes her to places like North America, Europe and central America. In 2008, she joined CBC's Olympic team and hosted the morning broadcast. She has provided her talents to events that celebrate our country's writers and athletes, and she recently hosted the Oakville Sport Recognition Awards.

We have a number of outstanding news anchors in the country, but for 2009, the Gemini Awards think it's Diana Swain, and that's well deserved.

TAXATION

Mr. Robert W. Runciman: Over the past few years, my riding of Leeds–Grenville has lost a significant number of manufacturing operations and the jobs that went with them. The McGuinty government has aggravated

the job situation with the closure of Rideau Regional, the recent closure of two Highway 401 service centres and its planned closure of transitional beds at the Brockville Psychiatric Hospital.

1510

With the job losses we've suffered, there's been an increased focus on growing tourism as one way to help our local and regional economy flourish. That makes sense, as my riding has two international bridges, the bulk of the Thousand Islands, a good chunk of the Rideau system, much of the Frontenac Arch Biosphere and more. Its growth potential as a tourism magnet is significant.

However, the McGuinty government's decision to bring in the HST, the largest sales tax hike in the province's history, is a tax grab with the potential to do serious damage to an already struggling tourism sector and dash the hopes and dreams of many.

The Tourism Industry Association of Ontario says that with this new tax increasing costs by as much as 44%, it's clear that the McGuinty government either overlooked or didn't consider the impacts on tourism—that's a direct quote.

Either way, this government has been negligent, and the minister responsible has been missing in action. It's not too late to look at a transition that eases negative impacts, and I urge the government to do just that.

FOREST INDUSTRY

Mr. David Oraziatti: I rise in the House to comment on the staged competition for crown wood supply in Ontario through the Ministry of Northern Development, Mines and Forestry. This competitive process will help create green jobs and new investment in the forestry industry in my riding of Sault Ste. Marie and throughout northern Ontario. This is part of our government's continuing commitment to support families that have been affected by the economic downturn.

This competitive process is open to anyone, including existing forest companies and new forest companies, interested in using crown wood supply and investing in Ontario. Proposals are currently being accepted for the use of approximately 11 million cubic metres of wood that will come from 41 management units across Ontario. Part of the wood supply in this competitive process will come from harvest residues which will support Ontario's emerging bio-economy sector.

The steps we're taking today are in addition to the \$1 billion commitment to the forestry sector to date to update equipment and improve energy efficiencies, the largest investment made by any provincial government, which included \$17 million in investment in my riding of Sault Ste. Marie to reopen St. Marys Paper.

Innovative job creation in my community is not only about a boost to the local economy, it's about an investment in our youth and our future prosperity. I'm pleased with our government's commitment to encouraging our youth and talented workers to explore opportunities in

Sault Ste. Marie and our commitment to work to revitalize the forest sector in Ontario.

We recognize the challenges of the forest sector, which is why we are determined to create new opportunities.

BERNIE STEWART

Mr. Yasir Naqvi: Thank you for the opportunity to share with my constituents and the House the memory of an individual who was an indelible part of our community of Ottawa Centre.

Bernie Stewart, by all accounts, was a remarkable individual and a mainstay of Westboro life. Bernie was best known to me as the long-time chair of the Westboro business improvement association, and I was always happy to engage with him to improve the vitality of our community and his businesses.

It was a community about which he felt very passionate and was dedicated to helping, and that contribution will certainly be missed. But I've heard that Bernie was passionate about many things.

Bernie was passionate about books. He was most known for being the 20-year proprietor of Solo Books on Richmond Road. When he made the difficult choice to close the doors on Solo Books, he arranged for the thousands of volumes remaining to be flown to our troops in Afghanistan out of respect for the work they do.

As a veteran of the Royal Canadian Air Force, Bernie was also passionate about aircraft and their workings, and as a master electrician in the forces he kept those skills, eventually running Westboro Computer Repair out of his home, where he loved working with all things electronic.

Most of all, Bernie was clearly passionate about life, family and community. I want to extend my condolences to his family and friends for the suddenness of his departure, but also offer my respect for such a warm and active individual in our community.

INFRASTRUCTURE RENEWAL

Mr. Wayne Arthurs: Our government has made a clear commitment to renew and strengthen Ontario's infrastructure. Roads and bridges, colleges and universities, community facilities such as pools, arenas, libraries and community centres are being constructed throughout Ontario.

Our \$32.5-billion infrastructure investment will create and support 146,000 jobs in 2009-10. That will rise to 168,000 jobs in 2010-11. These investments will make significant long-term improvements to transportation, health care and education infrastructure.

Now, we're increasing the transparency of these investments through the launch of our new website, which tracks the progress of recently announced infrastructure stimulus projects in communities throughout Ontario. This website will highlight our contribution in stimulus funding for infrastructure projects and will track construction projects. It will also provide regular updates on

new investments. For instance, if a constituent of mine in Pickering-Scarborough East wanted to know what infrastructure projects are occurring in our community, they could enter their postal code into this website and see how various projects in our community are developing.

This new website portal is a great opportunity for Ontarians to see how our government is building a strong modern infrastructure. I encourage everyone to visit the website at ontario.ca/infrastructure, and once they're there, to bookmark it for future reference and find out what's happening in their community.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Bas Balkissoon: I beg leave to present a report from the Standing Committee on the Legislative Assembly and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill, as amended:

Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000 /
Projet de loi 210, Loi visant à protéger les étrangers employés comme aides familiaux et dans d'autres emplois prescrits et modifiant la Loi de 2000 sur les normes d'emploi.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1516 to 1521.

The Speaker (Hon. Steve Peters): All those in favour of the report will please stand and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Flynn, Kevin Daniel	Milloy, John
Albanese, Laura	Gravelle, Michael	Mitchell, Carol
Arthurs, Wayne	Hampton, Howard	Naqvi, Yasir
Balkissoon, Bas	Hoskins, Eric	Oraziotti, David
Bartolucci, Rick	Jaczek, Helena	Pendergast, Leeanna
Bentley, Christopher	Jeffrey, Linda	Phillips, Gerry
Berardinetti, Lorenzo	Johnson, Rick	Prue, Michael
Bisson, Gilles	Kular, Kuldip	Qaadri, Shafiq
Broten, Laurel C.	Kwinter, Monte	Ramal, Khalil
Caplan, David	Lalonde, Jean-Marc	Rinaldi, Lou
Chan, Michael	Leal, Jeff	Ruprecht, Tony
Colle, Mike	Levac, Dave	Sandals, Liz
Crozier, Bruce	Mangat, Amrit	Smith, Monique
Dhillon, Vic	Marchese, Rosario	Sorbara, Greg
Dickson, Joe	Mauro, Bill	Tabuns, Peter
Duguid, Brad	McMeekin, Ted	Van Bommel, Maria
Duncan, Dwight	Miller, Paul	Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Amott, Ted
Bailey, Robert
Chudleigh, Ted
Hardeman, Ernie
Klees, Frank

MacLeod, Lisa
Miller, Norm
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Runciman, Robert W.
Shurman, Peter
Wilson, Jim
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 51; the nays are 14.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated November 26, 2009, the bill is ordered for third reading.

STANDING COMMITTEE ON JUSTICE POLICY

Mr. Lorenzo Berardinetti: I beg leave to present a report from the Standing Committee on Justice Policy and move its adoption.

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories / *Projet de loi 175, Loi visant à accroître la mobilité de la main-d'oeuvre entre l'Ontario et les autres provinces et les territoires du Canada.*

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1525 to 1530.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Brotan, Laurel C.
Cansfield, Donna H.
Caplan, David
Chan, Michael
Colle, Mike
Crozier, Bruce
Dhillon, Vic
Dickson, Joe
Dombrowsky, Leona

Duguid, Brad
Duncan, Dwight
Flynn, Kevin Daniel
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit
Mauro, Bill
McMeekin, Ted

Milloy, John
Mitchell, Carol
Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qadri, Shafiq
Ramal, Khalil
Rinaldi, Lou
Ruprecht, Tony
Sandals, Liz
Smith, Monique
Sorbara, Greg
Van Bommel, Maria
Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Amott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
Hampton, Howard
Hardeman, Ernie
Klees, Frank

MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John
Ouellette, Jerry J.

Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Tabuns, Peter
Wilson, Jim
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 47; the nays are 23.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated Monday November 30, 2009, the bill is ordered for third reading.

COMMITTEE PROCEEDINGS

Ms. Lisa MacLeod: On a point of order, Mr. Speaker: Last evening in committee—

Interjections.

Ms. Lisa MacLeod: I'm rising on a point of order. Pursuant to a decision made by Speaker Stockwell in 1997, who indicated to this chamber that each member had a right to know what they were voting on, I made a simple request that the resolutions put forward by the Progressive Conservative caucus, the official opposition, be televised or put on a computer screen so that they could be part of a PowerPoint presentation and so we could see each one of them. Unfortunately, the government didn't allow that and we were not able to look at any of the resolutions by the official opposition until 10 minutes to 5 last evening. As you know, 5 p.m. is when the time allocation motion by the government kicked in, and we were unable to debate one single resolution put forward by the official opposition.

The Speaker (Hon. Steve Peters): The government House leader on the same point of order?

Hon. Monique M. Smith: I believe we're talking about the very voluminous amendments that were put forward by the opposition, which I understand were delivered to the Legislature on Friday, with great fanfare and photo ops, but were not actually filed until noon, thus providing the staff in the clerks' office a very short, limited amount of time to print them even though they had them on Friday. It's unfortunate that the opposition did not try to accommodate the staff here in providing that information and are now demanding something they could have had, had they just been a little more accommodating.

The Speaker (Hon. Steve Peters): Thank you. First, as the honourable member knows, the point of order that she raises concerns an issue that took place at committee. As well, as the honourable member knows, I saw her in the hall last night, and I did take the opportunity this morning to apprise myself of the situation, and I am satisfied that all was in order. If you'd like to discuss the matter further, I'd be happy to meet privately with you, or would again encourage you to raise the matter at the committee.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that today the Clerk received the December 8,

2009, report of the Standing Committee on Government Agencies. Pursuant to standing order 108(f)9, the report is deemed to be adopted by the House.

Report deemed adopted.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

The Speaker (Hon. Steve Peters): An order of the House dated December 1, 2009, amended by the House on December 2, 2009, provides for allocation of time for proceedings on Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts.

The order provides that the Standing Committee on Finance and Economic Affairs shall report Bill 218 to the House no later than Tuesday, December 8, 2009. The House not having received this report during reports by committees today, the bill is therefore deemed to be reported to and received by the House.

Shall the report be received and adopted?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1537 to 1542.

The Speaker (Hon. Steve Peters): Members will please take their seats.

Just to be clear, the order provided that the Standing Committee on Finance and Economic Affairs shall report Bill 218 to the House no later than Tuesday, December 8, 2009. We now have a motion for the adoption of the deemed report of the finance committee on Bill 218.

All those in favour will please rise one at a time to be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Duncan, Dwight	Mitchell, Carol
Albanese, Laura	Flynn, Kevin Daniel	Naqvi, Yasir
Arthurs, Wayne	Gravelle, Michael	Oraziotti, David
Balkissoon, Bas	Hoskins, Eric	Pendergast, Leeanna
Bartolucci, Rick	Jaczek, Helena	Phillips, Gerry
Bentley, Christopher	Jeffrey, Linda	Qaadri, Shafiq
Berardinetti, Lorenzo	Johnson, Rick	Ramal, Khalil
Broten, Laurel C.	Kular, Kuldip	Rinaldi, Lou
Cansfield, Donna H.	Kwinter, Monte	Ruprecht, Tony
Caplan, David	Lalonde, Jean-Marc	Sandals, Liz
Chan, Michael	Leal, Jeff	Smith, Monique
Colle, Mike	Levac, Dave	Sorbara, Greg
Crozier, Bruce	Mangat, Amrit	Van Bommel, Maria
Dhillon, Vic	Mauro, Bill	Wilkinson, John
Dickson, Joe	McMeekin, Ted	Zimmer, David
Dombrowsky, Leona	Meilleur, Madeleine	
Duguid, Brad	Millroy, John	

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted	Klees, Frank	Ouellette, Jerry J.
Bailey, Robert	MacLeod, Lisa	Prue, Michael
Barrett, Toby	Marchese, Rosario	Runciman, Robert W.
Bisson, Gilles	Martiniuk, Gerry	Savoline, Joyce
Hampton, Howard	Miller, Norm	Shurman, Peter
Hardeman, Ernie	Miller, Paul	Tabuns, Peter
Horwath, Andrea	Munro, Julia	Wilson, Jim
Hudak, Tim	O'Toole, John	Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 49; the nays are 24.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Report adopted.

The Speaker (Hon. Steve Peters): The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

ELECTION STATUTE LAW AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Mr. Bentley moved first reading of the following bill:

Bill 231, An Act to amend the Election Act and the Election Finances Act / Projet de loi 231, Loi modifiant la Loi électorale et la Loi sur le financement des élections.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1546 to 1551.

The Speaker (Hon. Steve Peters): All in flavour will please rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Duncan, Dwight	Millroy, John
Albanese, Laura	Flynn, Kevin Daniel	Mitchell, Carol
Arthurs, Wayne	Gravelle, Michael	Naqvi, Yasir
Balkissoon, Bas	Hoskins, Eric	Oraziotti, David
Bartolucci, Rick	Jaczek, Helena	Pendergast, Leeanna
Bentley, Christopher	Jeffrey, Linda	Phillips, Gerry
Berardinetti, Lorenzo	Johnson, Rick	Qaadri, Shafiq
Broten, Laurel C.	Kular, Kuldip	Ramal, Khalil
Caplan, David	Kwinter, Monte	Rinaldi, Lou
Chan, Michael	Lalonde, Jean-Marc	Ruprecht, Tony
Colle, Mike	Leal, Jeff	Sandals, Liz
Crozier, Bruce	Levac, Dave	Smith, Monique
Dhillon, Vic	Mangat, Amrit	Sorbara, Greg
Dickson, Joe	Mauro, Bill	Van Bommel, Maria
Dombrowsky, Leona	McMeekin, Ted	Wilkinson, John
Duguid, Brad	Meilleur, Madeleine	Zimmer, David

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted	Klees, Frank	Prue, Michael
Bailey, Robert	MacLeod, Lisa	Runciman, Robert W.
Barrett, Toby	Martiniuk, Gerry	Savoline, Joyce
Bisson, Gilles	Miller, Norm	Shurman, Peter
Chudleigh, Ted	Miller, Paul	Tabuns, Peter
Hampton, Howard	Munro, Julia	Wilson, Jim
Hardeman, Ernie	O'Toole, John	Yakabuski, John
Hudak, Tim	Ouellette, Jerry J.	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 48; the nays are 23.

The Speaker (Hon. Steve Peters): I declare the motion carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement.

Hon. Christopher Bentley: During ministerial statements, please.

TAXATION AMENDMENT ACT
(EXEMPTIONS FOR ARTISTS), 2009

LOI DE 2009 MODIFIANT
LA LOI SUR LES IMPÔTS
(EXEMPTIONS D'IMPÔT
ACCORDÉES AUX ARTISTES)

Mr. Tabuns moved first reading of the following bill:

Bill 232, An Act to amend the Taxation Act, 2007 with respect to income tax exemptions for artists / Projet de loi 232, Loi modifiant la Loi de 2007 sur les impôts à l'égard des exemptions d'impôt sur le revenu accordées aux artistes.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Peter Tabuns: The bill amends the Taxation Act, 2007, to give the Lieutenant Governor in Council the power to create regulations providing for income averaging for artists over a specified number of years and providing for income tax exemptions for artists receiving income from specific grants or royalties. The bill also gives the Lieutenant Governor in Council the power to set deductibles and limits, and set out the rules of eligibility and methods of claiming the tax exemptions.

My thanks to the AFM, Equity and ACTRA.

TRADES QUALIFICATION
AND APPRENTICESHIP
AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT LA LOI SUR
LA QUALIFICATION PROFESSIONNELLE
ET L'APPRENTISSAGE
DES GENS DE MÉTIER

Mr. Bailey moved first reading of the following bill:

Bill 233, An Act to amend the Trades Qualification and Apprenticeship Act / Projet de loi 233, Loi modifiant la Loi sur la qualification professionnelle et l'apprentissage des gens de métier.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it. Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Robert Bailey: This bill would amend the Trades Qualification and Apprenticeship Act to specify that no more than one person may be an apprentice to each journeyman of an employer in a trade and to remove the power to make regulations respecting the ratio of apprentices to journeymen who may be employed by an employer in a trade.

TAXATION AMENDMENT ACT
(HERITAGE PROPERTY
TAX CREDIT), 2009

LOI DE 2009 MODIFIANT
LA LOI SUR LES IMPÔTS
(CRÉDIT D'IMPÔT
POUR BIEN PATRIMONIAL)

Mr. Arnott moved first reading of the following bill:

Bill 234, An Act to amend the Taxation Act, 2007 to provide for a tax credit for heritage properties / Projet de loi 234, Loi modifiant la Loi de 2007 sur les impôts afin de prévoir un crédit d'impôt pour bien patrimonial.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Ted Arnott: The bill amends the Taxation Act, 2007, to provide a non-refundable tax credit in respect of qualifying expenditures that are directly attributable to a qualifying activity relating to an eligible heritage property, as defined in section 365.2 of the Municipal Act, 2001, that is owned by the taxpayer or, if the taxpayer is an individual, the taxpayer's qualifying relation. The tax credit will apply to qualifying expenditures that are incurred after the prescribed date. Various components of the tax credit will be prescribed by regulations made under the Taxation Act, 2007.

ENERGY CONSUMER
PROTECTION ACT, 2009

LOI DE 2009 SUR LA PROTECTION
DES CONSOMMATEURS D'ÉNERGIE

Mr. Phillips moved first reading of the following bill:

Bill 235, An Act to enact the Energy Consumer Protection Act, 2009 and to amend other Acts / Projet de loi 235, Loi édictant la Loi de 2009 sur la protection des consommateurs d'énergie et modifiant d'autres lois.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1559 to 1604.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Aggelonitis, Sophia	Hardeman, Ernie	Naqvi, Yasir
Albanese, Laura	Hoskins, Eric	O'Toole, John
Arthurs, Wayne	Jaczek, Helena	Oraziotti, David
Bailey, Robert	Jeffrey, Linda	Ouellette, Jerry J.
Balkissoon, Bas	Johnson, Rick	Pendergast, Leeanna
Barrett, Toby	Jones, Sylvia	Phillips, Gerry
Bartolucci, Rick	Kular, Kuldip	Prue, Michael
Bentley, Christopher	Kwinter, Monte	Qaadri, Shafiq
Berardinetti, Lorenzo	Lalonde, Jean-Marc	Ramal, Khalil
Bisson, Gilles	Leal, Jeff	Ramsay, David
Broten, Laurel C.	Levac, Dave	Rinaldi, Lou
Caplan, David	MacLeod, Lisa	Runciman, Robert W.
Chan, Michael	Mangat, Amrit	Ruprecht, Tony
Colle, Mike	Martiniuk, Gerry	Sandals, Liz
Crozier, Bruce	Mauro, Bill	Savoline, Joyce
Dhillon, Vic	McMeekin, Ted	Shurman, Peter
Dickson, Joe	Meilleur, Madeleine	Smith, Monique
Dombrowsky, Leona	Miller, Norm	Sorbara, Greg
Duguid, Brad	Miller, Paul	Tabuns, Peter
Duncan, Dwight	Milloy, John	Van Bommel, Maria
Flynn, Kevin Daniel	Mitchell, Carol	Yakabuski, John
Gravelle, Michael	Munro, Julia	Zimmer, David

**STATEMENTS BY THE MINISTRY
AND RESPONSES****CONSUMER PROTECTION**

Hon. Gerry Phillips: I rise to introduce the Energy Consumer Protection Act, 2009. This act has a simple, yet vital, objective, and that's to empower consumers, to protect their interests and, above all, to ensure fairness and transparency in Ontario's energy marketplace.

There are few obligations that government must take more seriously than the protection of consumers against unfair, misleading or simply confusing retailing practices. At a time like this, that responsibility is felt all the more acutely as families struggle to make every dollar stretch in the face of a challenging global economy.

The proposed legislation builds on the government's record of action with respect to consumer protection and transparent disclosure in a number of other sectors. Today, we take similar action with respect to Ontario's energy market while also setting out fair and reasonable operating conditions for affected businesses.

The legislation contains three main elements. First, it introduces tough new measures to crack down on unacceptable practices by some electricity retailers and gas marketers in order to protect consumers. Second, it strengthens protection for residents of multi-unit rental residential buildings where suite metering is being considered. Third, it bolsters the opportunity to protect electricity and gas consumers with respect to security deposits and disconnects.

1610

Let me focus for a moment further on the first of these priorities. Many of us have experienced the offer of a contract from electricity retailers or gas marketers. Some of these companies employ salespeople who go door to door offering multi-year fixed-rate contracts. Unfortunately, and too frequently, promises are made about cheaper long-term energy prices, and salespeople pressure consumers and customers for a quick deal on their doorstep.

The sale of fixed-rate energy contracts has been a business in Ontario since 1997 for natural gas and on the electricity side since 2002. The companies offer something that a number of consumers do choose, but we have all heard stories from our constituents, friends, or family members who felt pressured, confused or misled. Each week, the Ontario Energy Board, or the OEB, logs between 100 and 150 consumer complaints about the practices of energy retailers. It is time to bring abusive practices to a stop, for the good of both consumers and the reputation of the industry.

In this respect, I want to recognize the member from Timiskaming-Cochrane, David Ramsay, who was among the first of us to urge action on this issue with his private member's bill. The legislation introduced today captures the spirit of his proposals and takes decisive action in a variety of ways. It would require far greater disclosure on the part of electricity retailers and gas marketers, in-

The Speaker (Hon. Steve Peters): Those opposed?

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 66; the nays are 0.

The Speaker (Hon. Steve Peters): I declare the motion carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement.

Hon. Gerry Phillips: I'll make my comments under ministers' statements.

VISITORS

The Speaker (Hon. Steve Peters): I want to take this opportunity to welcome some guests of mine from my riding in the Speaker's gallery: Dean Paddon, Brian Bolt, Bob Ketchum and Barry Fry. Gentlemen, welcome to Queen's Park today.

Mr. Gilles Bisson: On a point of order, Mr. Speaker: Let me transgress, seeing that the Speaker led the way. I'd like to introduce Larry O'Connor, a former member of the assembly who's here with us right now.

MOTIONS**PRIVATE MEMBERS' PUBLIC BUSINESS**

Hon. Monique M. Smith: I believe we have unanimous consent—maybe I'll say that again for the member from Renfrew-Nipissing-Pembroke; he sometimes has a slight hearing problem—to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that, notwithstanding standing order 98(g), notice for ballot items 58, 59, 60, 62 and 63 be waived.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

cluding providing plain language disclosure about key contract terms. It would also require an explicit and standardized format for showing consumers the difference they would pay on their monthly bill when contracting with an electricity retailer or gas marketer when compared to staying with their utility. It would also set out clear rules to allow contracts to be cancelled under specified conditions and set maximums on cancellation fees.

It would oblige retailers to seek independent third party verification from the consumer before the contract would be considered final. Finally, it would allow the government to establish new regulatory and training standards for salespeople. And importantly, it creates legal liabilities for directors and officers of electricity retailing and gas marketing companies.

The second set of measures supports the government's goal of encouraging conservation by enabling the government to ensure that all new multi-residential units are suite-metered. It would also establish a framework to enable consumers in existing multi-residential apartment buildings to take direct control of their energy costs and empower them to conserve. Suite-metering technology will allow each tenant to pay directly for their own energy use. In the case of existing tenants, such a change in the tenancy agreement would require explicit written consent of the tenant.

The proposed legislation would enable establishing the framework for changes that would ensure fair rent reduction for these tenants. It would also enable the development of minimum energy-efficiency guidelines for suite-metered rental residential buildings.

Finally, the legislation would build on existing rules and practices to create new requirements aimed at ensuring fair treatment with respect to security deposits and disconnections in the electricity market and extends this more robust approach for application to natural gas and sub-metered customers as well.

This legislation is needed. It builds on the McGuinty government's record of action with respect to consumer protection and transparent disclosure. It's fair and it is progressive. It protects consumers and strengthens our energy market in Ontario, and I would urge all members to support the Energy Consumer Protection Act.

ELECTORAL REFORM RÉFORME ÉLECTORALE

Hon. Christopher Bentley: I'm pleased to rise in the House today on behalf of the McGuinty government to introduce legislation that would, if passed, improve the provincial election process to make it fairer, more flexible and more accessible to Ontario voters.

Our goal is to move forward with modernizing Ontario's existing legislation. The proposed amendments to both the Election Act and Election Finances Act would strengthen Ontario's democratic institutions. The amendments would improve the way elections work, while maintaining the integrity of the electoral process.

There are few things that we, either individually or collectively, value and cherish more than our democratic rights. And it is understood and accepted by all that the egalitarian traditions of our society, and certainly of our government, have been built upon and continue to depend upon fair, accessible and well-run elections. They are the foundation of our democracy.

Avant de vous décrire les modifications proposées, permettez-moi de vous donner quelques renseignements généraux et de vous décrire brièvement ce que nous avons accompli récemment. Dans le cadre de son ordre du jour de renouveau démocratique, le gouvernement McGuinty a présenté une loi en 2007 pour moderniser les élections provinciales, qui a été adoptée par l'Assemblée législative. À cette époque, le gouvernement suivait une stratégie mesurée qui renforçait aussi bien l'accès aux élections que l'intégrité des élections.

Before turning to the proposed amendments, let me provide some context and recount some recent accomplishments.

As part of our democratic renewal agenda, the McGuinty government introduced, and the House passed, legislation in 2007 to modernize provincial elections. At that time, the government took a measured approach that enhanced both access to elections as well as the integrity of elections. Amendments included increasing the number of advance poll days, and allowing the Chief Electoral Officer to test new voting methods in by-elections.

At the same time the government brought in these improvements, it contemplated further reform at some future time. That time is now.

In June 2008, the government moved in the House that a Select Committee on Elections be appointed to consider the effectiveness of Ontario's existing electoral legislation. Mr. Greg Sorbara, MPP for Vaughan, chaired the four-member committee. The other members were Norm Sterling, MPP for Carleton-Mississippi Mills; Howard Hampton, MPP for Kenora-Rainy River; and David Zimmer, MPP for Willowdale. I would like to thank, on behalf of all members, those members for their very important work.

The committee heard representations from key stakeholders. These included the Chief Electoral Officer of Ontario, Mr. Greg Essensa, who is charged with the responsibility for administering provincial elections. It also included a delegation representing Ontarians with disabilities. Written briefs were submitted by several interested parties. In addition, the committee invited returning officers to share observations about their experiences administering Ontario's election legislation. It was encouraging to receive a strong response from election officials in all parts of the province.

The committee's final report was delivered to the House in June 2009. The report presented the government with a timely and important opportunity to modernize and improve legislation concerning the preparation, administration and delivery of elections in Ontario.

Let me turn to the proposed amendments. Our plan is to introduce them in two stages.

Stage one would implement the bulk of the select committee's recommendations, and they are contained in the legislation we introduced today. These initiatives would significantly improve access to voting, particularly for persons with disabilities, while protecting the integrity of elections. It would professionalize service delivery by giving the Chief Electoral Officer more authority over appointments of election officials such as returning officers and election clerks. It would give the Chief Electoral Officer the flexibility to ensure that election processes keep pace with and are responsive to the needs of Ontarians. It would update election finance rules to reflect modern banking practices. These would all be in place for the 2011 provincial election.

Stage two would take effect following the 2011 provincial election. We would modernize election legislation by consolidating the Election Act and the Election Finances Act into a single piece of legislation that we intend to bring forward next year. Ontario's Chief Electoral Officer and the select committee recommend this kind of consolidation, advising that it will reduce inefficiencies as well as inconsistencies and confusion.

1620

Many of the proposed amendments align Ontario with the best practices in other Canadian jurisdictions. They'll enhance public confidence and enhance the voting experience for the people of Ontario. While some of them are quite technical, the importance of our legislation cannot be overstated.

I offer this quote, taken from the final report of the Legislature's Select Committee on Elections: "In a representative democracy, the significance of the legislation that establishes and maintains the electoral system cannot be overstated. All parties—political or otherwise—and all citizens have a fundamental interest in the quality and continuing relevance of the provisions in these statutes." I think all members of the House will agree.

In closing, let me once again say that the democratic traditions of our government have been built upon, and continue to depend upon, fair, accessible and well-run elections. They're the foundation of our democracy.

The Acting Speaker (Mrs. Julia Munro): Responses?

ELECTORAL REFORM

Mr. Ted Chudleigh: This piece of legislation is interesting in that it could probably be made a very acceptable piece of legislation with a few technical amendments.

The thing that concerns me most about this bill is not what's in the bill but what is not in the bill. There is nothing in this bill about third party advertising. That's something that has gone on in this province for the last two for three elections and which operates outside of the Election Act. That makes elections very questionable in this province. It's obvious that third party advertising is—it's very obvious, it's very blatant and it's very purposeful in what it does to the elections and the election results in this province.

For the government to bring in a piece of legislation that ignores the largest change in the election process that we've had in this province over the last decade or so is very disappointing. Third party advertising distorts and flaunts the Election Act, something that has grave concerns to the democratic process in Ontario. That is the largest concern about this piece of legislation, in that nothing in this legislation is said about third party advertising.

One of the other things that is very concerning is that—I think it was point 14 in the explanatory notes, where the Chief Electoral Officer can authorize or commission reports and research. Given the history of this government on their contracting for reports and research, there is no direction given in the act as to how these commissioned reports or research should be conducted. It doesn't say anything about using best practices. It doesn't say anything about using the lowest bidder. It doesn't say anything about going to public tender. It doesn't say anything about cost controls. It doesn't say anything about any application of how these contracts for commissions and reports will be done. Given the recent history of this government, I would suggest that this should be of great concern to the citizens of Ontario.

I think that will do it for today. I look forward to the legislation. I look forward to a couple of amendments that would make this legislation much more acceptable.

CONSUMER PROTECTION

Mr. John Yakabuski: I want to respond to the bill being presented by the Minister of Energy today. You know, when you listen to his first couple of paragraphs, who's going argue with that, about the need and the importance of empowering and protecting consumers? We're all in 100% agreement with that.

What I am concerned about, or one of the things that I'm concerned about, is that the former Minister of Energy promised a piece of legislation back in the summertime that would be brought in this fall, and here we are near the end of the session, when this will certainly not be debated in this House before Christmas, and the minister is introducing a bill to protect consumers.

He talked about David Ramsay, the member for Timiskaming-Cochrane, who introduced, earlier this year, Bill 131. If they would have piggybacked or worked with that, I think we could have already had some results with respect to consumer protection with regard to how they are treated by energy retailers.

We know there needs to be some protection and some changes. The exposé that we saw on CBC's Marketplace earlier this year was a wake-up call to anybody who does not think that there were shenanigans and things going on in that business that need to be addressed, and Mr. Ramsay's bill partially would have done that.

The other thing they are doing in this bill is bringing in other issues like the sub-metering issue and the security deposit issue. Ironically, we just had a bill that

we're supposed to be debating this week, possibly, from the member from Essex, dealing with that security deposit issue. So you have to wonder where the ministry is on all of these kinds of balls they've got juggling in the air here at the same time, whether it's private members' or government legislation.

There's no question at all that we want to see significant changes and improvements. The situation we have today is not acceptable. I look forward to a briefing from the minister's staff, possibly tomorrow or Thursday. Hopefully, when we get this bill in the Legislature, as soon as possible, we can all work together to ensure that at the end of the day, what we present to the consumers of this province and what we enact as legislation is going to truly protect them from nefarious practices and ensure that what is happening is transparent, is fair, and that it protects consumers.

CONSUMER PROTECTION

Mr. Peter Tabuns: I rise to address the proposed Energy Consumer Protection Act, 2009.

To the Minister of Energy: There's no question that people in this province are being abused by energy marketers. Interestingly, my mother, who is 80, has had a number of times when energy marketers have come to her door trying to get her bill so they can get all of the account information off of it. She's fended them off, but a number of her friends, also in their 80s, have not been able to fend them off, and have been stuck with huge bills. So I think action against people who are doing this energy marketing with no particular scruples is required.

I'm not sure that what is in this bill is adequate for the problem that's at hand. In fact, I would go further. A private member's bill was introduced recently which would have prohibited door-to-door energy marketing, and, frankly, I can see the utility in that.

I look forward to going through the bill in greater detail, but I say to this House and to the minister that this area is one that I think we're all bedevilled with. We all have our constituency offices flooded with people who are calling and coming in because they're getting a raw deal.

When it comes to the whole question of sub-metering in multiple-unit buildings, again, I would look forward to reading in greater detail what's presented to us. I have to say that in many instances people live in buildings now that are not adequately insulated, don't have proper windows, and essentially are just boxes that heat flows out of, or that cold flows out of in the summer. In those situations where sub-metering is installed, I can only say it's a huge transfer of burden, responsibility and headache from a landlord to a tenant.

I understand from a quick glance through that there are some measures that may address that satisfactorily. I look forward to having the time to going through and making sure that, in fact, what's here will do what the people of this province deserve to have done.

ELECTORAL REFORM

Mr. Gilles Bisson: Well, such an opportunity lost, quite frankly. We had an opportunity here in this Legislature to make some meaningful changes when it comes to how elections are run in this province, and I'm going to break it down to about three or four issues.

First of all is the question of enumeration. We know, as elected officials, that every time you go knocking at doors during provincial elections, the provincial electoral list is a mess. Why is that? It's because we gather the information of who's on the list from electronic records, and often those electronic records are wrong. How many times have all of us and our opponents who ran us against us run across the same problem where you go knocking on the door and the people who are enumerated on the list are not anywhere near the names of the people who are living in the house, and then, when you try to get them enumerated, it becomes a whole episode to be able to make that happen in a quick way, in a streamlined way? That really demoralizes the people from being able to go out there and to enumerate themselves, once they've been improperly enumerated.

The issue of where people vote: We had in our riding, and I'm sure Mr. Ramsay had the same problem, people who live in one town who had to go vote in a town 30, 40 or 50 miles away—when they lived in Smooth Rock Falls, go vote in Kap; if you lived in Kap, go vote in Smooth Rock Falls etc. We could have fixed some really basic problems with our electoral system, and we didn't get to it.

Election finance reform: The federal government saw the light, along with other provinces in this country, and they've understood that it's the right thing to remove both business and labour from the ability to make contributions to political parties and individual candidates. They did that for a reason, because there's far too much influence that is seen to be had by those who give the money to various parties. We had suggested, and we had pushed for, changes that would put us more in line with what we see federally and what we see in other provinces in this country that would depoliticize to a certain extent the ability that business and others have to contribute to campaigns, and then to say that the candidate might be beholden to them afterwards.

1630

I think it would have been a really good thing in this province to come to some sort of formula that would have made sense for the political parties and the candidates to make sure that we have a real electoral system that doesn't allow the type of influence to be exercised on political parties and individual candidates in results of how much money a particular person gives that candidate. And in a citizens' assembly: My God, the last time we went through this, here were the rules: You had to have 60% of the people voting in favour, and 50% of the voters who actually voted had to be in at least 60 ridings where 50% of people who had voted got 60%. Does that sound confusing? It is. This is not a citizens'

assembly. If we really meant it, we would have made it 50%, and maybe we could have gotten somewhere.

The Acting Speaker (Mrs. Julia Munro): Thank you. Pursuant to standing order 30(c), I do now call orders of the day.

ORDERS OF THE DAY

CONCURRENCE IN SUPPLY

Hon. Brad Duguid: I move concurrence in supply for the following ministries: Economic Development; Energy and Infrastructure; Finance; Research and Innovation; Municipal Affairs and Housing; Health and Long-Term Care, including supplementaries; Small Business and Consumer Services; Community and Social Services, including supplementaries; Labour; Tourism; and Aboriginal Affairs.

The Acting Speaker (Mrs. Julia Munro): Debate? The member for Pembroke—Nipissing—

Interjection: Renfrew.

The Acting Speaker (Mrs. Julia Munro): Renfrew.

Mr. John Yakabuski: The main thing is that I know how to get home, Speaker. Unlike Steve Mahoney, I don't have to go out and buy an expensive GPS to find my way home. I can do it on my own, without any help from electronic devices.

Mr. Ted Chudleigh: Why don't you tell me about that, Steve Mahoney's expense account? Where did he buy a—

Mr. John Yakabuski: Ah, Steve Mahoney's expense account. Where would a man start, Madam Speaker?

Mr. Ted Chudleigh: Did he buy it in Myrtle Beach?

Mr. John Yakabuski: This is a guy who turned a part-time job into a \$140,000-a-year gig, plus expenses.

Mr. Ted Chudleigh: He spent seven days in Myrtle Beach.

Mr. John Yakabuski: Seven days in Myrtle Beach. What did he have, one day of meetings?

Mr. Ted Chudleigh: One day of meetings.

Mr. John Yakabuski: One day of meetings. This is the kind of thing that infuriates the taxpayers of Ontario. This wasn't the topic I was going to start with, but when we were talking about finding our way home, I had to think about that GPS and I had to talk about Steve Mahoney.

These are the kinds of things that just drive people crazy, when a government has such total disregard for the taxpayers' money. What was I reading today about when Dwight Duncan, Minister of Finance, made a commitment of about \$45 million or something in savings in the budget? And the auditor says it was hooey; it was hokum. They didn't save anything. But the minister gets up and he tells the people, "We're working hard; we're responsible; we're going to cut expenditures," because we have got a \$25-billion deficit, and the reality is, they did nothing.

Then we see in the auditor's report—and I know my friend from Durham is going to talk a whole lot more on that as well—where people are prescribed an assistive medical device such as one of these oxygen providers that they sell for around \$1,000, but the government, because they're always pretty shrewd and frugal—they're going to save us a lot of money—decided that they could pay about \$13,000, or \$18,000—I think, up to \$18,000 for one of those.

That's how this government is saving money for the taxpayer. If you're thinking, "Let's talk about one machine," that's a \$17,000 gap, but when you're doing this over and over again—

Mr. Ted Chudleigh: How many did they buy?

Mr. John Yakabuski: I couldn't tell you the number. We didn't get that exact number in the auditor's report, but suffice to say that if these are the things that the auditor is finding—and we have to be very aware of one thing: The auditor only finds what is there for the finding. He doesn't find something and then do a massive investigation of every facet of that ministry.

Mr. Ted Chudleigh: He's not a forensic auditor.

Mr. John Yakabuski: He's not a forensic auditor. So what happens is, you see these kinds of things—and we know that they're just the tip of the iceberg. They only scratch the surface.

I know that the people out there watching this today and reading the Hansards and reading the auditor's report and reading the Toronto Star or any of the other newspapers emanating from Queen's Park are asking themselves, "If these are the things that the auditor is finding, how many more are not found at all?"

So they look at a budget of—what is it?—\$110 billion or \$113 billion in this province. They start to say to themselves: "That money comes from us. We're the ones who finance the government, and they're taking our money and just giving it that clockwise twirl before it goes down the drain." If you were in the southern hemisphere, it would be a counter-clockwise swirl. But it really doesn't matter. It's going down the drain, and this government puts the blinders on the eyes and pays no attention, while they keep taxing the people more.

Those people, as a result of what has happened in this chamber this fall, are going to pay more next year. When the HST is implemented on July 1, 2010, those people are going to pay more. Those same people who feel like they've been hosed by the absolutely unconscionable actions of this government in the lack of accountability that we're seeing in the auditor's report are going to get it again come July 1, 2010, with the HST.

When you go to fill the car—8%; when you go to pay that hydro bill, which is going to go up even more under this government's legislation—8%. When you have to pay the heat—you're going to get through this winter, but next winter, 8%. Every time you turn around, it's going to be an additional 8%.

What infuriates them is that people don't mind paying taxes, but they want value for their money. They don't want to pay their taxes and feel that the people who are

receiving that money are squandering it. They want value for their money and they want the people who are receiving that money to act responsibly, not to go around like drunken sailors—and I apologize to every sailor. I apologize to all the sailors because I know you'd do better than this government is doing. Sailors would be more responsible.

1640

This has got to stop. You just can't treat the taxpayer as a bottomless pit, as a money tree that you just keep taking and taking and taking from until there's nothing left.

The shamefulness of this auditor's report, piled on the HST, which is just going to just brutalize senior citizens in this province, has got to stop. This government has to take a good, hard look, reflect and ask themselves, "Is what we're doing really the right thing?" My answer is, it is not.

I'm going to stand down, because I have other members of this caucus who want to speak on this issue as well. Thank you very much for the time.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Paul Miller: I'd just like to start off by saying that day after day in this House I see the finance minister stand up here with that crystal ball of his and say there are going to be 600,000 jobs created. That couldn't be any further from the truth.

I want to be here in a year or two when the numbers come in on how many jobs he actually created, because I think it will fall very short. First of all, he has to get back the 300,000 he lost, and if he's going to create another 600,000, that would be 900,000, so we're pushing a million now. I don't know where he's getting these numbers from, but I'll just give you a few here.

I want to start off by talking about HST. Some 200,000 jobs have been lost in the last year. Ontario families are looking for a plan to create jobs and make our economy work for them, which makes sense. Instead, they get a new tax on the basics, a new tax that will kill up to 40,000 jobs a year.

I'm not making this up. This comes from a report commissioned by none other than the Ontario Chamber of Commerce. The chamber's report was very detailed. It predicts 3,300 fewer jobs in construction, 9,800 fewer jobs in professions, 3,500 fewer jobs in accommodation and food services and 4,600 fewer manufacturing jobs. I think that the 4,600 in manufacturing jobs is a low estimate; I think you could triple that with no problem at all. We can't afford to lose any more jobs right now, and Ontarians are worried.

Worried about how Ontarians might react to hearing that this tax will kill jobs, the Ontario government needed to find somebody to write a different report, because they're trying to say that it won't lose jobs, that it's going to create jobs.

So they hired Mr. Jack Mintz. I should remind the House that the Minister of Finance previously referred to Dr. Mintz as an Alberta academic whose neoconservative

ideas simply don't work. I guess when it's convenient, the finance minister is willing to embrace old ideas of that so-called Alberta academic, as he used to say.

But nobody believes those numbers. After all, who believes that a new 8% tax on gas and hydro will create jobs? I doubt it. Who believes an Alberta academic who, one year ago, wrote a paper that predicted the HST will kill tens of thousands of jobs every year? Now, this is the guy that the Liberal government hired, and he has done a 180 in a little over 18 months, from saying it will kill tens of thousands of jobs to saying it will create 600,000 jobs. It's hard to believe.

Small businesses sure don't believe it. A recent survey found that nearly 60% of all small businesses couldn't think of a single reason why the HST is good for them.

Paying more and getting less: Everybody assumes that an 8% tax on gas, hydro, magazines, haircuts, legal and accounting services, real estate commissions, taxis and Greyhound bus tickets will raise a lot of money for this government, and for public services like health care and education, it will raise billions from consumers—up to \$7 billion, some economists say—but it won't help fund public services like health care and education.

In fact, the tax package actually costs the government money. That means there will be less money for critical health services or to get elderly loved ones into a long-term-care facility. The reason a new tax costs the government money is because of the massive corporate tax giveaway. We've all discussed the \$4 billion that they're giving to business. That's going to create jobs? I doubt it. A lot of those businesses have gone south and a lot of businesses take the money out of Ontario; they don't keep it here.

For every dollar, the HST will cost consumers \$1.06. It's going to go to business tax cuts. Those include a juicy \$2-billion corporate income tax cut. People are struggling through a deep recession. Layoffs and cuts to hours of pay are the norm. People want a government that's focused on creating jobs and helping them get back to work. Corporate income tax cuts do not create jobs; in fact, they cost jobs.

In the last 10 years the provincial Liberal and Conservative governments have given away \$20 billion in corporate tax cuts. Billions more in corporate income tax dollars have been given away federally. What do we have to show for it? Two hundred thousand Ontario job losses since December; wages are down and use of food banks has shot up to 120,000 people since March 2008. Now an astonishing 800,000 people use food banks, 300,000 of them children. If corporate tax cuts were the answer, the United States would not be in a recession, and neither would Canada.

Corporate tax cuts are untargeted. They reward companies already making money. They help the big banks cash in but not the struggling businesses that are laying people off, cutting hours and cutting pay. Bay Street and its executives win; struggling businesses and people worried about their jobs lose.

The confusing thing is that Dalton McGuinty had the same criticisms of corporate income tax cuts when he

was in opposition. Now he's done a 180. Times are changing, I guess. He criticized the Tory government's \$2-billion corporate income tax cut more than 70 times in this Legislature, and even in the short time I've been here I've heard the finance minister stand up and point his finger at the opposition and say, "When we took over this government, you guys were in a \$5-billion deficit." Well, they've quadrupled it, or more than that, since this last government.

Here are just a few examples of what's going on. From March 20, 2008: "What the Conservatives are asking us to do is cut corporate income taxes—those are taxes on profitable corporations—by \$2.3 billion.... That definitely means closing hospitals, firing nurses, cutting education. It means driving up tuition fees. It means cutting the Ministry of the Environment and the like, and it means running a deficit."

From May 14, 2002: "They just have to tell their friends on Bay Street that the \$2.2 billion in corporate tax breaks they were expecting is something that we just can't afford.... The truth is that this government is terrible"—absolutely terrible—"with" managing "money."

From December 5, 2001: "Minister, you say that you have to make cuts. We say you could easily cut your \$2.2-billion corporate tax cut...."

From November 20, 2001: "Quite simply, we believe that health care, public education and the protection of our environment are greater priorities than cutting corporate taxes by an additional \$2.2 billion. Our priorities are the priorities of our working families...." I don't think so.

November 6, 2001: "We know our revenues are going to drop. We know people are going to lose their jobs.... What we believe as well is that it is entirely irresponsible, given the circumstances, to proceed with another \$2.2 billion in corporate tax cuts ... Minister, on behalf of Ontario's working families, will you now cancel your ideologically driven corporate"—this is the Liberals talking to the Conservatives.

Now they've done a 180. Now they're doing it the opposite way. So I don't know what's different here.

October 15, 2001: "Minister, you remain committed to your \$2.2-billion corporate tax cut. It seems to me it's becoming very clear that this cut in corporate taxes is going to leave you with one of two options: You are either going to run deficits or you're going to make serious and further dramatic cuts to health care, education and the environment." This is the Liberals talking to the Conservatives when they were in opposition. Wow. It's changed—not much; same old song, I think.

I could go on, but I think people get the point. Once upon a time, this Premier thought corporate tax cuts were bad policy. Once upon a time, this Premier saw no connection between jobs and corporate tax cuts. Suddenly, he doesn't. While the McGuinty Liberals are helping to fund million-dollar executive salaries, they're telling Ontario families to brace themselves for cuts, cuts that people in some communities are already experiencing and have been for years.

We've lost probably 70% to 80% of our industrial base in the city of Hamilton in the last 10 years. I wonder who was in power. The emergency rooms in Fort Erie and Port Colborne are closed. More, like Wallaceburg, and Matthews Memorial Hospital near Sault Ste. Marie—they're also on the chopping block. Deficits and cuts loom at Bluewater Health, Sault Ste. Marie hospitals, Kingston General, Cambridge Memorial Hospital and the Niagara Health System. The provincially appointed supervisor at Cambridge Memorial Hospital is finding savings by not replacing positions; that means not hiring, letting people do double the work.

1650

And it's not just health care; it's the care of vulnerable children too. Faced with a \$67-million shortfall, children's aid societies have begun to lay off employees. Payukotayno James and Hudson Bay Family Services has sent layoff notices to 120 management and front-line staff. That follows the cuts at York Region Children's Aid Society.

There are clear winners and losers here. To the people, the Premier says, "Pay more, get less." To those needing public services, like the elderly waiting for long-term care and vulnerable children needing support, the Premier says, "You'll have to wait." But to companies that are doing just fine and paying their executives million-dollar bonuses, the Premier bends over backwards for them.

If you're an average person in this province watching the goings-on here and you're watching the multi-million dollar payouts to consultants, over \$1 million a day—that's one agency, a health agency. There are 22 that the government has decided they might want to audit now, out of the 390 that they have control over. If it's \$388 million for just eHealth, what would it be for all 380 agencies? I don't even want to begin to think. It's billions of dollars that could have gone into health care, to our seniors, to our kids, to poverty—just waste upon waste. If people really saw the numbers, it would boggle their minds.

I also want to talk about pension reform, another one of our priorities. With only 35% of Ontarians covered by an occupational pension plan, there is a clear need for expanded pension coverage for all Ontarians. Sixty-five percent of the people in this province do not have a defined pension plan; they don't have a pension plan at all. Ideally, the way this would be done would be to increase the benefit levels of the Canada pension plan. This would draw on existing economies of scale, risk sharing and administrative efficiencies of the plan. The Ontario NDP joins with the federal NDP and the Canadian Labour Congress in the campaign for an expanded national universal pension plan in the form of enhanced CPP and also old-age security. We want that, but we also believe there should be a plan for Ontario, because we don't feel that the federal government is going to come forward with that much of a raise that it's going to be significant to help people.

That said, the issue of expanding coverage is an urgent one, and the Ontario NDP believes there's an important

role to be played at the provincial level in greatly expanding workplace pension coverage. Therefore, the NDP believes that Ontario should move ahead on its own to develop an employment-based pension plan for all working Ontarians who presently lack occupational coverage.

The NDP also supports the Arthurs recommendation for establishing an Ontario pension authority. We believe that pooling, administering, investing and disbursing stranded pensions would be an important role for this authority.

The level of monthly pension benefits eligible for protection by the pension benefits guarantee fund is completely inadequate. We believe that the monthly guarantee covered by the PBGF should be increased to a maximum of \$2,500 to reflect the effect of inflation on the original maximum of \$1,000. It hasn't been changed since 1980.

While the NDP agrees that the basis on which the levee will be paid by plan sponsors is a complex matter and that a phase-in period may be necessary, it is absolutely essential that a commitment to implement the key Arthurs recommendations be made in the first package of this pension legislation, to be tabled any day now, or maybe after the Christmas break.

The NDP also believes that the existing grow-in rights that provide access to early retirement benefits for all qualifying single-employer pension plan members in the event of a full or partial plan wind-up should be extended to all such members who are involuntarily terminated. Qualifying members should continue to be those whose age and years of service add up to 55. The NDP strongly supports the key Arthurs recommendation. We believe that it would increase equity and reduce the number of disputes about full or partial wind-ups. However, limiting the grow-in to involuntary quits is highly problematic. It is frequently unclear whether termination is voluntary. Pension legislation does not generally differentiate between voluntary and involuntary terminations and it is not an issue in which the regulator has any special competence. Attempting to differentiate between the voluntary and involuntary quits adds to costs, complexity and inequity. The grow-in provision must not be limited in this way.

Finally, the NDP supports the Arthurs recommendation that all active plan members should be immediately vested for all accrued pension benefits. However, at present, the plan administrator should retain the discretion to circumstances. The NDP strongly supports these key Arthurs recommendations and believes the recommendations should be implemented immediately.

When the government comes out with their pension reform, some now and some in the spring session, I have a feeling that it's going to fall drastically short of the needs of the people of Ontario. I hope they're not just doing it for mileage. I hope there's actually going to be some meat to the bill. I hope they're actually going to increase the PBGF fund. I hope they're going to actually make a difference in the lives of Ontarians. I have my

doubts that it will go far enough, like most of the bills that have been presented in the two years I've been here; they don't go far enough. They're half measures, and people need help now.

People worked all their lives for their pensions. People worked all their lives for that security in their old age, and what do they do? Let's take Nortel: They pull the rug from underneath these people at the end of their lives, when they need it most. It's absolutely outrageous. These people deserve good treatment. They helped build our province. They paid their taxes, they followed the rules, and at the end, money managers and other unscrupulous people are pulling the rug out. What's wrong with this picture? It's time that governments stood up, federally and provincially, for the people of this province who have worked hard all their lives, hoping to have some kind of a decent retirement in their later years. Believe me, a lot of them are scared right now. A lot of pension plans are under threat. Many of them are underfunded. Something has to be done immediately. The elderly people in our province have built our province; they have gone to war for us. They deserve better treatment, and it's the people in this House and the people in Ottawa who should be jumping to their defence and doing something immediately to fix these pension problems because, believe me, they've earned it. They earned the protection.

In closing, I hope that the pension reform that this government is going to bring forward will be beneficial and not just a lot of—how would I put it?—hearsay. I want actual meat in the bill. I want actual implementation of the bill: not five or 10 years from now and not two months before the next election, coming out with promises, and once they get elected, it all goes out the window again. The Liberals are famous for making promises and not keeping them when they get elected. I hope the people of this province realize it and see, through the mist, what's at the end of tunnel because, believe me, it's going to be a scary sight.

I'm going to share some time with the member from James Bay, and he will carry on with this discussion. Believe me, it's something that's very important to the people of Ontario.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Robert W. Runciman: I appreciate the opportunity. It's unfortunate; it would appear that the government members are not going to participate in this debate. Perhaps they'll do so later. I hope so, because certainly the financial challenges facing the province are significant. We just have to look at the projected deficit—just under \$25 billion—and a series of significant deficits projected as far as the eye can see. I think one has to suspect that the deficit prediction for this fiscal year is once again going to be incorrect, given some of the recent expenditures. We've seen the unforeseen expenditures on H1N1, as an example, so I think we may be looking at something significantly in excess of \$25 billion, which is a scary prospect with respect to the

burden that we're placing on future generations in this province; with respect to a growing, mounting debt and the increasing percentage of the annual operating budget that debt repayment will be taking. That should be a concern to all of us who care about the future of this province for our kids and our grandkids.

I think that this government, quite fairly, has been described by the National Post as the worst government in Canada. I think if you look at what has transpired, especially over the past year, clearly an increasing number, a majority now of Ontarians, would share that perspective. If you look at the most recent Angus Reid poll, it certainly reflected that. Some will say that's an impact of the HST being brought in by the government, but I think it's a whole series of things, when you're looking at the Ontario Lottery and Gaming scandal, followed by the eHealth billion-dollar boondoggle.

1700

Now we see the Auditor General's report this week, the Provincial Auditor's report, again going into details of mismanagement and the culture of entitlement that has grown like Topsy within this McGuinty Liberal government: waste everywhere you turn, a lack of concern for taxpayers' dollars, and this in the midst of probably the most significant economic downturn we have seen in 70 years. We're seeing this kind of treatment—or lack of respect may be a better way of describing it—for the value and the importance of ensuring that taxpayers' dollars are treated with the respect they deserve in these very difficult and challenging economic times. Clearly, that has not been the case with the performance of this government. Hence, they've been described as the worst government in Canada.

Again I say—

Interjection.

Mr. Robert W. Runciman: Yes, they have significantly passed the NDP, which they frequently criticize in this Legislature, and the deficit, which is not a real deficit, that they continue to criticize the former Progressive Conservative government for leaving them—once again at the six-month point in a fiscal year.

I'm going to talk briefly about a number of things. As you know, eHealth—we mentioned the provincial auditor's report yesterday, describing real concerns related to the distribution of welfare moneys, of the WSIB and the ballooning deficit. It's over \$11 billion now, the unfunded liability, which I believe the auditor has recommended be combined with the provincial deficit to give Ontarians a fairer assessment of the challenges facing this province. If you accept the \$25 billion, that immediately moves us up to a \$36-billion, \$37-billion deficit facing Ontario taxpayers. It's not just frightening; I would think "alarming" would be a more accurate description with respect to that.

Ontario Buys: When you look at the insider deals that were going on with respect to this Ontario Buys program—I look to our finance critic. Is that the program, our finance critic, where the government in their budget last year claimed they had saved significant millions of

dollars? I don't think Mr. Miller is paying attention to me. He's deep in thought. Is that where they claimed in their budget that they had saved \$45 million?

Mr. Norm Miller: Yes.

Mr. Robert W. Runciman: They said they had saved \$45 million. The Minister of Finance gets up and boasts about it. Of course, we find that he was only off by \$44 million. And we look at what was going on within that operation and the sweetheart deals that were being arrived at for certain people. Again, if you look at the auditor's report, he says quite clearly that it appears that fraud was committed. That is a very serious allegation. I would hope that we're going to see the Premier or the Attorney General or the minister of public safety within the next few days, based on the concerns clearly expressed by the provincial auditor, call in the OPP for a thorough investigation. This is an allegation that's in black and white, a concern expressed by the provincial auditor. It's something that should be taken seriously by the government and acted upon, rather than simply standing up this House day after day, week after week and saying, "Yeah, well, we're sorry. Obviously we have more work to do," yada, yada, yada, after going on six and a half years in office.

One of the other things that bothers me on a regular basis, not just getting up and saying, "We saved \$45 million," and he was only off by \$44 million, is that they continually get up and use quotes from people like myself with respect to the HST. And I have said in the past that the principle, the concept, of a harmonized sales tax is attractive and is worthy of consideration. Then, of course, we've talked about widespread consultation, that that's required, and that we have to look at revenue neutrality. Those are all of the elements of that conversation that the members opposite neglect to reference when they're quoting the members over here. They parcel out a particular part of a discussion. That's called "distortion" in anybody else's books and, of course, Madam Speaker, perhaps the worst attempt at—I can't use the word; you won't allow me, but you know what I'm talking about—bringing in a tax like this. When we talk about consultation, we saw how they shut off debate in this House. We saw how they closed down public hearings and failed to go outside the city of Toronto.

But this is the kind of issue: such a significant change in tax policy—the largest increase in sales tax in the history of the province. This is something that needs discussion. It should have been something that was discussed in the last election. Yet we had the Premier, once again, in a provincial general election, say, "I will not be increasing your taxes." That's two in a row. Are we looking for three strikes here? The public of Ontario are not going to give you that third strike. They've been led down the garden path twice now with respect to tax increases and commitments made—on television: the Premier standing up there and making this solemn promise to the people of Ontario. Once again, we know how solemn that promise was. Not worth the air-time that was paid for; that's for sure. In any event, it's certainly a concern.

Interjections.

Mr. Robert W. Runciman: It's interesting to watch the members opposite, the backbenchers especially, because, as Yogi Berra would say, "It's déjà vu all over again." I remember the NDP government sitting over there, and the polls were looking pretty grim. They knew that the public was not very happy with the way they had performed. We didn't have a fixed election date then, and the Premier of the day, Bob Rae, extended the term of the government for about four and a half years. I think he went on for four and a half years, because they knew that the prospects were grim. Yet we saw backbencher after backbencher getting up and defending the indefensible. There were people who stood up against it—

Interjection.

Mr. Robert W. Runciman: —and some are still here—who had the foresight and the intestinal fortitude to tell Mr. Rae that they were not in agreement with him, and they're around here.

Interjections.

Mr. Robert W. Runciman: That's the reality of the situation, and we see it again in the member who's harping over there—she's one of those who is quickly jumping to her feet to defend the indefensible on a regular basis. We'll see. We'll see if, indeed, history repeats itself with respect to the next general election. We're not going to jump to conclusions. We still have a little under two years left, and we'll see what happens with respect to this.

But there's a growing sentiment, a growing appreciation, a growing understanding that you have failed the province of Ontario, and you've failed future generations as well with your mismanagement and your lack of frankness—I'll use the word "frankness"—with the public in terms of the commitments you've made in two provincial elections.

We talk about the worst government in Canada. Another thing I want to put on the record, because it has impacted my riding in a very negative way and it has impacted the people who can worst afford to deal with a decision taken by this government—we're talking about low-income families. This government, this great brain trust sitting over there, decided that we had to rehabilitate all of the service centres on the 401. So what did they do? They closed them all. We've had service centres closed for over two years. Now they've got them all closed. In my riding, they closed two and they threw 300 people out of work, in the midst of a recession. These are low-income people who are having to struggle with very few opportunities available to them, and this government—can you see any retailer, can you see Tim Hortons, closing all its outlets at once? This is unbelievable. Total mismanagement. Total incompetence.

If anything has reaffirmed the view that this is the worst government in Canada, the closure of those service centres really put the nail in that coffin, let me tell you. Stupidity, stupidity, stupidity—unbelievable stupidity. There should be somebody resigning over that one. But, no, this government goes on leading us down this very unfortunate path.

1710

I have to let my colleague have some time here, but I want to put something on the record with respect to the HST which has not gotten a lot of prominence, but I think it's a significant concern and should be a concern of the people over there, but, of course, nothing is a concern to them. The fact that they're running the highest deficit—

Interjections.

The Acting Speaker (Mrs. Julia Munro): Order.

Mr. Robert W. Runciman: —in the history of the province. The fact that we are now a have-not—

The Acting Speaker (Mrs. Julia Munro): Order.

The member may continue.

Mr. Robert W. Runciman: Thank you, Madam Speaker. It's unfortunate that they can't deal with the truth.

I want to talk a bit about the impact of the HST on the tourism sector in the province of Ontario. The Tourism Industry Association of Ontario—badmouth them if you wish—retained a firm to conduct a review of the impacts of the harmonization of sales taxes in the province of Ontario. They reached this conclusion: "The impacts on tourism appear to have been either overlooked or not considered"—either overlooked or not considered.

What they've said—and I'm going to just go through a few quick examples in this: "Transitioning to a harmonized sales tax environment in Ontario will have negative implications for the province's tourism businesses and individual tourism businesses. Pricing to the end consumer will increase.... Further, from the perspective of Ontario tourism businesses, the costs savings from tax harmonization will be limited given the tourism industry's preponderance of input costs ... not being eligible for input tax credits." They tell me only about a third of their inputs will be eligible for the tax credits.

They also say—one other item they highlight with respect to the ineligibility of income tax credits on electricity: "The Ontario government's decision to delay eligibility for claiming input tax credits on electric power will damage the major Ontario ski operators who will face a one-time cost increase of 8% with no ability to claim the tax credit offsets"—can I get a drink of water, please? Those are just a couple of examples.

They also carried out a number of detailed visitor scenarios. I hope the people who have tourism businesses in their ridings who are sitting in the Liberal backbenches are paying attention to this. This is a weekend getaway scenario: two adults visiting Niagara-on-the-Lake, two nights in a hotel, two sets of theatre tickets for the Shaw Festival, meals and shopping. Now, what's this going to mean for the cost of a weekend getaway as described in Niagara-on-the-Lake? An additional cost, tax as a total percent of total cost: 44%.

Interjection.

Mr. Robert W. Runciman: Yeah, sure.

Mr. Gilles Bisson: On a point of order, Madam Speaker: Just in helping my friend take his drink of water,

I'd like to signal that former member Karen Haslam is here with us in the public galleries.

The Acting Speaker (Mrs. Julia Munro): Thank you very much, and welcome.

The member may continue.

Mr. Robert W. Runciman: You know, some of the Liberal backbenchers again are yelling, "Well, that's not true; that's not true." Well, this is not the MPP saying this; this is the organization that I cited at the outset. So you're suggesting that they're misleading the people of Ontario. This is the Tourism Industry Association of Ontario, a very well-respected organization. So this is what Liberal members think of the Tourism Industry Association of Ontario.

So that's a weekend getaway; a weekend getaway in Niagara-on-the-Lake up 44% because of your HST.

Okay, let's talk about a one-week camping holiday, a one-week camping holiday for a family of five: two adults, three kids, staying seven nights in a campground. What's the total tax as a percent of the total cost? What's this going to be up? Some 33%, as a result of your tax grab.

Here's a family ski holiday: two adults, two children, four nights in a two-bedroom chalet, with three days of skiing, partial equipment rental and meals. What's it going to cost? How much more is that going to cost? It's a 25% increase in cost. Those are the impacts.

Go on their website and take a look at this. Read it. You should be looking at this kind of material, especially if you have tourism operators in the riding that you are supposed to be representing, but certainly you're failing them like you're failing most Ontarians.

This government and the conduct of its backbenchers is nothing short of shameful.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. John O'Toole: There are several issues that I'd like to cover in the very brief time that's been left. I could seek unanimous consent for an extended hour, but we'll just wait and see how it works out here.

I guess I want to start by setting up sort of an index of reference points so that we can all keep track. I want to start by thanking the staff here, because I think this session is pretty well wrapped up. It's kind of a sad and nostalgic moment for me. So I extend my thanks to all of the staff, both the political staff as well as the legislative staff, and wish them all the best of the season, which would include Merry Christmas.

Mr. Robert Bailey: What about the members—

Mr. John O'Toole: And also the members on each side, especially the NDP, who have worked very cooperatively with us in trying to hold the line on the HST. Also to the government members: Some of them I know are suffering in silence, because they are getting the same calls that I am. They're getting the same calls—the calls from the people who this year, when they're buying the toys for under the Christmas tree, are going to next year cut back on the toys by 8%, because they're all going to cost more. And getting there—the gas for the car, everything.

But I think what's important here is that Bill 218, the bill that's being foisted on the people of Ontario, is, I think, an important milestone that they've achieved this session. By that, I mean that they've made it clear—it's the largest tax policy change in the province's history, and the change is fundamental to Ontario's structure. They used to get most of their revenue from the province from taxing payroll, corporate profit and goods in the marketplace. Now they're switching the channel on you; this is the tax-channel change. What they're actually doing is reducing tax on that side. Why? Because there's no economy left in Ontario. There are 300,000 individuals out of jobs; that's 300,000 families with no income.

Interjection: They don't pay any tax.

Mr. John O'Toole: But those people who aren't working actually don't pay tax; they collect services. They're in Second Career or on social assistance.

I think that on the other side what they're actually doing, fundamentally, is changing the revenue stream from taxing income and corporate profits to taxing consumption. Now, consumption for the average earner is their only way of discretion: whether they buy chips or diet food or something. They have choices in their consumption pattern, but all of their money is spent, basically. If you're making less than \$50,000, you're spending all your money. If you make \$50,000, you probably spend \$51,000—and with young kids, certainly, if you make \$50,000, they spend \$60,000. But I think the point here is that if it's on consumption, they are guaranteed to get your money quicker, because on the income side, you could have RRSPs; you can defer taxation. Corporations can retain earnings and not declare it as a dividend or profit, so they can defer and recapitalize. The government doesn't get the revenue, is what I'm saying.

The best way to explain it to my constituents is this: If you're spending, let's say, \$100 a week now, that \$100 a week is now going to be \$108. Now, eight times 52 is \$416 more a year that they're going to get from you. Just think of that, because \$100 a week could be your gas, but it's probably more like \$300 or \$400 a week that you spend, so it's going to be about \$1,200 to \$1,500 that they're taking from your pocket, all new money—

Mr. Robert Bailey: Per person.

1720

Mr. John O'Toole: And that's per person, exactly, for a man and a woman both commuting to work.

Say they're commuting from Durham region, my riding, to Toronto. It's going to cost them \$816 a year more just for the gas, and it's going to cost them more for the insurance for the car. It's going to cost them more for everything, and from the news I heard this morning, they're going to be tolling roads in Ontario before long, and your transit is going to be taxed as well. So there is no end, and I put on caution all of the people of Ontario.

Mrs. Carol Mitchell: Now you're making it up again.

Mr. John O'Toole: One of the members—the member hasn't spoken on this bill and she's over there, yelling.

Interjections.

Mr. John O'Toole: I'm going find out. She's actually quite a nice person.

The Acting Speaker (Mrs. Julia Munro): Order.

Mr. John O'Toole: Member from Huron—Bruce, I would like to engage you in this because it is important for you. I know your constituents are just as upset. I know they are because they're just like my constituents. The ordinary Ontarians are getting hosed here, and that's the truth. Why have they got a special ministry set up now? It probably cost them, I would say, around \$15 million to \$20 million to set up the new Ministry of Revenue: new offices, new furniture—we've seen what they've done all along—and a new driver, a new limousine that they had to buy for the minister and his travelling all over the province. Why have they got the separate ministry? So he can go out and communicate the plan of how to get more money. This is true.

When all of the shell game is over with, that they're reducing taxes here and there, whether it's a senior tax credit—all of it's income-tested, by the way, so there are income thresholds where you no longer get it. So it's not a universal benefit. It's income-tested. Here's the deal: The reason they're doing it at the end of the day—this is the second point of my major thesis here tonight—is this: They have a \$25-billion deficit. It's huge. That's thousands and thousands of dollars per every individual in Ontario. They have to pay it off because they borrowed it from somebody. So the plan—

Interjection: About 15 grand.

Mr. John O'Toole: It's about \$15,000 per individual. But here's the deal: The plan here is to get more money, and this is how they're doing it. That's what the people of Ontario don't trust anymore. You've broken the trust. Now, why do I say that? Trust is established through performance. I can predict future behaviour by looking at past behaviour, and the past behaviour is this: two elections based on two promises. "I won't raise your taxes," is one of them. And this was never, ever debated.

The minister says, "It's the largest tax reform in the history of Ontario, 40 years, and the Conservatives don't get it." Yes, we do. We've been preaching how important tax policy is right from the beginning, in early 1990s. What's happening here is that the trust is lost because they won't tell the absolute—they won't talk about it. In fact, the members today aren't talking for that reason. Why aren't they having public hearings? Because they don't want to talk about it. No public hearings. Why not? The public hearings have been speeches by the minister, period. They weren't a dialogue with the people of Ontario. They were announcements, proclamations. A dialogue is listening and responding, and you don't respond to our questions, nor do you respond to the people of Ontario. It's quite tragic.

This goes deeper, and the real evidence of this—in my kind of eulogy or my compliment, if you will, on this party's behaviour—is best said by the Auditor General of Ontario, Jim McCarter. I commend Mr. McCarter for his report, and I recommend it to your reading, the viewers here today. There are several sections in this report that I'm just going to take a very brief time to comment on.

My critic role is the Ministry of Government Services. A good place to start would be your own critic file. But there are three major areas that the Auditor General was very critical of. One of them was the assisted devices program. I have examples of the assisted devices program where they're wasting taxpayers' money by paying—for instance, for an item that cost \$250, a TV screen for a computer module for a person with special needs, the supplier paid \$250 and the device provider charges \$1,500. Who's looking after the small change is evidence that they're not looking after any change. It's tragic. Then other families, with children needing a wheelchair or whatever—there's no money left for them because of the waste. There's no respect for the taxpayer dollar. I'm talking about the small items. I'm not talking about eHealth, the billion-dollar scandal. I'm not talking about it. I'm talking about the child needing a wheelchair, and there's no money left for them. That's where a government is failing the people of Ontario.

The second item that was criticized profusely by the Auditor General was Ontario Buys. This program was about trying to create efficiencies in bulk purchases. That's really what it was. Having worked in business for 30 years, I know that when bulk purchasing, there should be economy of scale. The first thing they did is they hired 31 people; that's a start. I think it cost them to set up what they call this shared services organization—I think they spent about \$61 million—sounds like a fair amount of money—before they saved one nickel. The Auditor General was highly critical of it. I look at the viewers; they won't give me the time to tell you the whole story. It's on page 203. You can look it up, or you can call my office. I'd be happy to share it with you.

There's another very important part—I would hope that we don't recess tomorrow because I'd like to stay here for weeks and talk about this stuff—the unfunded liability of WSIB. Now that's the third leg, that's the third rail, in my opinion. Why do I say that? There are three programs that in Ontario have—that seems like the new litmus test.

The new litmus test is the billion-dollar scandal. First we had \$1 billion on eHealth. The second one was the \$1 billion on social assistance. The third one is the \$1 billion on the WSIB.

Interjection.

Mr. John O'Toole: There's \$12 billion there that's unfunded, but it grew by \$1 billion in just recent times. I think those are indications.

Going back to that assistive devices plan, going back to that family that can't get the support they need when they need it—you can't get to the hospital when you need it; you can't get to your schools because there are no service for autistic children. It's in all areas of all service delivery in the government. I think if you put all this into context, it's very important. This is the one thing that I think is shameful, really. This is how low you can get actually in terms of how—focus has rightfully been on overpayments, waste and fraud of \$1.2 billion in Ontario welfare and disability. That being said, examples of the

McGuinty government's questionable taxing and spending do not end there.

This government has raised a half a billion dollars in potentially illegal revenue from user fees. I question this illegal revenue from user fees. Yesterday, from the Auditor General, we've learned that the government is adding—now, this is important; listen up—a convenience surcharge of \$1 for each electronic ServiceOntario kiosk; \$1 billion is what they're going to collect in the long run. These services should be discontinued because the whole service of not over the counter is supposed to cost less.

Check out the Auditor General's report on page 148: "Revenues collected by the Ministry of Government Services for certain registration services significantly exceeded the cost to provide the services by approximately \$60 million, which is six times more than the costs to deliver them" in person.

The travesty doesn't end there. When you look at this whole idea of—

Mr. Robert Bailey: There's more?

Mr. John O'Toole: Yes, there is. The Archives of Ontario is a good example. This is the lack of accountability, one example: "The archives informed us that, due to weaknesses in its ISR container-tracking system and backlogs in data entry regarding storage and container movement archives continues to pay without verification" of delivery of the service.

This is rampant in every single ministry, and what we're trying to say is, "Your time is up." You've taxed people to death, and I have nothing but a concern about the future, with the economy going down and the loss of jobs.

Now they're introducing the largest tax increase in Ontario's history. This is not a very pleasant time of the year to be doing this to the people of Ontario. I hope the members of the government side actually respond in some way and refute some of the things I've said. If you don't, I'll take it that everything I have said is true. It's unthinkable to be doing it at this time of year and at this time of the economy. So I put to you—

The Acting Speaker (Mrs. Julia Munro): Thank you. Further debate?

1730

Mr. Gilles Bisson: I'm pleased to take part in this debate, because it gives us an opportunity, in concurrence, to speak about a number of things. I want to see, for the House and for my colleagues here, if we can make some headway on a couple of things. The first thing, obviously, we need to talk about is the HST.

I've been listening to the speeches up to now, and peoples' memories serve them right. I remember two elections ago, when Premier McGuinty went out as Leader of the official opposition and said, "Vote for me. I'm going to sign the taxpayers' pledge and I'm not going to raise your taxes." He gets elected in his first majority government, comes back, and what does he do? He increases the health tax. Then he argues, "Well, that's not really a tax, so therefore it doesn't count and, trust me, I won't raise your taxes." Then he's asked, and his

finance minister is asked, "Are you going to implement the HST? Will you merge the PST with the HST?" The McGuinty government had a position, and their position was "no."

So here was the lay of the land: You had the Liberals, who were saying they would under no circumstances introduce the HST, and you had the Conservatives who said, "We think it's not a bad idea." So it was pretty clear for me to understand, as a New Democratic, where the parties sat. The Liberals said they were opposed to the HST, the Tories said they didn't think it was a bad idea, and we opposed it, as we always have, as the Manitoba government has, as the Nova Scotia government is and as the Saskatchewan government did—and yes, the NDP government in Ontario, same thing. So we've always been consistent as New Democrats. I've got to say that Andrea Horwath, our leader, has been doing a stellar job travelling across the province, meeting with people, raising the issue, ringing the bell, letting people know what's going on, trying to get people to have their say in coming to this Legislature day in, day out in order to raise this issue, in order to put the fight, so that this government comes to their senses. We have to take the government at their word.

If the government says at one point, "We're opposed to merging the PST with the GST," so therefore they're opposed to the HST—well, you know, we're all honourable members. We have to trust that, when the Premier said that and when the finance minister said that, they meant it. When the leader of the now opposition said that he wasn't necessarily opposed to it, and Mr. Runciman said he thought it wasn't a bad idea, we took them at their word. There's been a collision in this Legislature, a huge collision. All of a sudden I'm having a hard time trying to discern who the Liberals are and who the Tories are and who the Tories are and who the Liberals are. Now you've got the Liberals, who were opposed, saying it's a great idea, and you've got the Tories, who said they thought it was a good idea, saying it's a bad idea.

But the one consistent thing through this whole mess has been New Democrats. We've been opposed to this from the beginning, and we have been opposed to this since our good friend Mr. Mulroney—who you now think is a great guy on the Liberal side of the House. We have opposed it since then. We continue to oppose it, and we look forward to our federal caucus, who have already shown last week that they will vote in opposition to the HST and will continue to do so. There are only New Democrats who can stand in this House or can stand in the federal House and be consistent on that position. I've got to say that I'm proud to be a New Democrat.

Let me tell you why I think the HST is a bad idea. Aside from the political ramifications—let me start with the political ramifications. What is it with the Tories? Excuse me, I've got you mixed up again. What is it with the Liberals? Do you guys have a thing where you want to absolutely lose the next election? Normally there's a bit of a fight in the government in the last year, year and a half of their mandate. These guys are doing absolutely

everything they can to alienate every voter in Ontario. So I'm saying to myself, "What is this all about?" Are you guys all of a sudden, you know, going into the caucus room and having some grand strategy that none of us can understand? You guys are really moving down the way of committing political kamikaze. Because I'll tell you—

Mr. Paul Miller: Kool-Aid.

Mr. Gilles Bisson: I didn't want to use that because that has a bad connotation.

Mr. Paul Miller: Jonestown.

Mr. Gilles Bisson: Well, Jonestown was a pretty tragic thing.

Mr. Paul Miller: It was.

Mr. Gilles Bisson: They're not drinking Kool-Aid. They're all still standing.

So I just say that these people stood in caucus and decided to go forward, and 75% of the people, according to polls that I've seen over the last week—the two polls that came out, the public domain polls—say they strongly disapprove of the HST.

I've only been in politics for 20 years. Don't take it from me. I probably don't know a heck of a lot about this. But I do know one thing: When 75% of the voting public are opposed to something, I think a government should pay attention.

This is a really, really bad political move—and this on top of a whole bunch of other initiatives and a whole bunch of other scandals that we've seen happen over the last little while is a cumulative effect. I say to myself, why is the government doing this? I don't understand the political side of what you're doing this for, because there's no upside.

The government says, "Don't worry. Trust us. We're going to lower your other taxes so that the HST, when it's increased, is revenue-neutral." When is the last time we heard a government talk about revenue neutrality? Ah, it was under the Harris government. And did that happen? Absolutely not. I don't trust any government that walks into this place and says, "At the end of the day, it's going to be revenue-neutral." The Tories ran on a platform of saying they were going to download a whole bunch of services, and they were going to take things back, and it was all going to be revenue-neutral, and not to worry. Well, we all go to our municipalities on the weekends when the House is not sitting and we sit with them and meet with them and do things with them. Are they happy about revenue neutrality? They'll all tell you—every mayor, every councillor—that was the biggest joke; by the end of the day, it wasn't revenue-neutral. Municipalities are paying for things they never dreamed they would have to pay for before. So why should the public believe now that it will be revenue-neutral when it comes to the individual taxpayer vis-à-vis the HST and the tax credits you're saying you're going to apply? In reality, it ain't going to happen.

It's a consumer tax, and the problem with a consumer tax is, once you apply it and you apply 8% on goods that are, so far, exempt and on services that are all exempt, people will end up paying more overall. Yes, there may

be the odd person who may end up in a better position, but they're not going to be anywhere close to the majority, because we are a society of consumers. People love running out to the corner store—I wish they would run to the corner store and their local stores, but they run to Walmart and the big chain stores—and they love to spend that money. They like their big-ticket items. That's the society we have built. People go out and buy things, people do investments through RRSPs, people buy mortgages when they're buying houses, all of which now are going to be increased in cost as a result of this new HST.

The public gets it. That's why 75% of the public are saying, "Absolutely not. We're not buying this argument for two seconds." When a government comes knocking at the door and says, "Trust me, I won't raise your taxes," they know to run because, quite frankly, they've heard that far too often. If I was a member on the government side, I would be a little bit nervous now.

I speak with some authority, because I was a member of government that did something pretty stupid called the social contract. I was one of those members who went along with the government, as every backbencher does in a government. At the end of the day, it cost us a whole bunch of seats, it cost us an election, and we've been paying the price up until the last election.

Maybe you guys want to follow the road of Bob Rae, because he has now become a Liberal. I've got to believe that maybe what you're doing is, that Dalton, Dwight and George—I should say, the Premier, the finance minister and the former minister of infrastructure—have been talking to one Bob Rae, and he says, "Listen, guys, now that I am a Liberal, let me tell you how to do it." Well, you're welcome to it. You can have him and his ideas, because at the end of the day the social contract really hurt our party, to the point that it took us two elections to get over it. So, if that's the way you guys are going, it's your choice, but I've got to say, my God, it is a very, very interesting choice.

From a policy perspective, why is the HST such a bad idea? Do you raise consumer taxes in a recession? Hello. We're trying to tell consumers, "Have confidence. Go out and purchase. Become good, responsible consumers, and get the money back into the local economy so that we can get Ontarians back to work." Well, at the very time that we're trying to do that, come July 1 of next year somebody is going to take their bank card or their credit card or their finance company or bank loan and they're going to go to buy something, and they're going to say, "What? Another 8%? What do you mean another 8%? I'm not buying that. I'm walking away from a sale."

Why do we know that? Look what happened after the GST. It was the same argument during the GST. Brian Mulroney and Michael Wilson, then finance minister, made the same promises that the McGuinty government is making today. They said, "Don't worry. This is going to be revenue-neutral. It'll be fine. It'll be wonderful. The savings by manufacturers will be passed on to the consumer. Everybody will be fine." Well, they went

down to two seats, so we know what happened to them politically. I wouldn't say the GST was a pretty big part of it.

1740

What happened to the consumer when the GST was put in place was that we saw a reduction in consumer spending for the first while after the GST was introduced. Eventually it came back. I'm not saying it never came back, because we know what has happened to the economy, but the immediate effect was that they went trucking along with fairly good retail sales, there was a bump when it was announced because everybody knew the GST was going to be implemented on a certain date, there was a spike in sales and then she dropped. That hurt the Ontario and the Canadian economy.

So why are we doing this? The government says, "Look what happened to the Maritime provinces. My Lord. In the Maritimes they introduced the HST and they had a big boom." Well, Jeez, the boom was oil. Don't you guys know what's going on in Newfoundland, Labrador and Nova Scotia? Haven't you been out east in a while? Are you all CFAs? Do you all come from away? Come on. What's going on over there is that Hibernia and others, those oilfields, have really stimulated the economy of the Maritimes.

What we saw in the Maritimes is what we saw in Ontario. Did the economy of Ontario go into the boost that it did for the amount of years that it did because the Maritimes put in the HST? Our economy here went up because the general economy was up, and what we saw with the Maritimes was oil. So for the government to argue, "Hey, this is all about the HST. That's what happened in the Maritimes," I say to my friends across the way: Boy, oh boy, you're sadly mistaken, because I believe that's not the case.

As my good friend Mr. Rosario Marchese—

Mr. Rosario Marchese: Trinity-Spadina.

Mr. Gilles Bisson: —the member from Trinity-Spadina says, the consumers are going to get whacked and whacked again.

Interjection.

Mr. Dave Levac: He says, "Ba-da-bing, ba-da-boom."

Mr. Gilles Bisson: So, ba-da-bing, ba-da-boom, as my good friend says.

So I say to my friends across the way—and I want people who are watching this debate to know that Liberals and New Democrats and Conservatives may have debates here and at times we may be hot and heavy, but most of us talk to each other. I respect the people of this assembly. I'm just trying to give you a bit of advice: I've been through it, and you don't want to be voting for an HST, because my friends, at the end of the day that is going to be one that'll be long remembered by the voters come the next election.

The other thing that I want to get into is the northern economy—off the HST to another issue. We have seen, over the last seven years, a huge, huge drop in employment in northern Ontario, mostly originally in the

forestry sector. The government changed the policy that used to always be in place when it came to what happened in the forest industry. It was, until Dalton McGuinty got elected, the policy of this province—the Conservative government of Mike Harris, the NDP government of Bob Rae and, yes, the Liberal government of David Peterson and governments before—that when a mill shut the doors and said, "We're no longer going to be in operation," the crown said, "We're taking the wood back." Why? Because the wood is a crown resource. It doesn't belong to the company. The facility that was using the wood—in other words, the mill—lost the wood because they shut their doors and then the wood came back to the crown. The crown would do a request for proposals and somebody else would come in and bid for that wood and put a proposal together as to how to use the wood. My good friend Mr. Brown would remember some of the issues that happened in his own riding, in places like Jager and others.

But the point is, the province always had that policy. This government changed it when they got elected. They decided that the Tories had started the privatization of wood management in our province, and a lot of the work that used to be done by MNR was transferred off to the private sector so that the forest companies did most of the forest management. A lot of that used to be done by the MNR.

The government just decided that if the costs were increased on the private sector, we needed some way to sweeten the pot and soften the blow. So they decided that they were going to turn the page in Ontario: that if a mill shut down, they would not take the wood back. Well, the list is long. From northwestern Ontario to northeastern Ontario and to places in central Ontario, we've seen mill after mill, sawmill after sawmill, close; we've seen pulp mills close; we've seen paper mills close; and we've seen no wood coming back from the crown. That has been a travesty, because we are no longer using public policy in order to be able to do what's right for the residents of northern Ontario: the ability for them to stimulate the economy by finding a successive employer.

Companies like Tembec and others—I've had these fights with them, and what I say here is the same discussion I have had with Frank Dottori and John Valley and others from Tembec and other companies in my riding. I've always said what they were doing was wrong. I don't believe that the forest companies should control the forest. Those trees are a crown resource, and we need to be able to control it.

But this government decided they weren't going to do that. That was the first part. So when the mills started to close, the company said, "What the heck? We don't have to worry, because we're not going to lose the wood. So we'll close down the mills, and eventually we're going to do supermills." That was the original plan. Those companies wanted to move from having a number of medium- and larger-size mills to one or two, depending, supermills somewhere in the geographic area that made some sense to them. But the problem was, nobody

figured that the downturn in the forest industry and the downturn of what happened with the sales of wood products would ever go as low as it did. So those companies that were heavily indebted and not able to refinance in order to do the kind of work that needed to be done to get there weren't able to, because the price fell out of the bottom and the market shrank. They were in no position to be able to do anything about even doing supermills—not that I'm in favour of that; I think it's a bad idea. But the government very, very much misjudged their actions on that.

I remember coming to a meeting with Premier Dalton McGuinty in the room and then Minister Ramsay, along with the mayor of Opasatika—which was the first mill in Ontario to close under that policy—along with mayors from the region and union leaders and others. The Premier made it clear: The policy was changed. They would not take the wood back to the crown. They would allow the forest companies to decide what they were going to do with the fibre, and it was up to them. It was a business-to-business deal, and they were going to decide what was going to happen. Once the industry got the green light, there was nothing holding them back from having to shut down mills.

Now, let me be clear for the record. Would we have had shutdowns if we had taken the wood back? Yes, we would have. Absolutely. But we would have not seen what we've seen in industry today, and in some places we might have been able to do some interesting things such as what Smooth Rock Falls was trying to do in regard to putting forward a multi-use facility in the town of Smooth Rock Falls. They raised \$45 million in order to be able to move forward with that project. What they needed was a wood allocation. The province would not give them the wood allocation and, as a result, that project died. If we were able to give the wood allocation, we would have been in a position—now, fast forward to last week.

The Minister of Northern Development, Mines and Forestry, Mr. Gravelle, who I have great respect for, made an announcement. The announcement was that we are going to go to an RFP process, and we're going to allow wood to go back through the RFP process that is not being used, either unmerchantable wood or roundwood, in the province of Ontario. I told my staff, "Get a hold of Minister Gravelle. I want to give him a call." I said, "Mike, if you're doing what I think you're doing and what I've asked you to do, I will stand beside you and I will go 'Kumbaya. Good job.'" I'd be the first one to do it, and I think members of this assembly know that.

As we got the details and looked at it, it was pretty clear what was going on. I would say that around 10% of the available wood supply was being made available to RFP—a fair amount of unutilized, unmerchantable wood, which is not a bad thing. I'm not going to argue that making available unmerchantable wood is a bad thing. That's not my point. But it's only a small part of what's available. There is still lots of wood that is not being used by companies because they've shut down that is not part of the roundwood allocations that would be available.

A case in point is Smooth Rock Falls, Opasatika and other communities, where Smooth Rock Falls had 700,000 cubic metres of wood that was available to them by a minister's directive. Is 700,000 cubic metres available as a result of this RFP? No. The total for the entire region, Constance Lake down to Iroquois Falls, if you add it all up in roundwood, is about 200,000. Northern members will know that 200,000 cubic metres sounds like a lot of wood, but it's pretty marginal to make a mill run. So you're going to be in a position where every community is going to be fighting to get those allocations. It makes it look as if the government's doing something. That, I guess, is the game, but at the end of the day, you don't get to where you've got to go.

Then we get the announcement with Xstrata yesterday. Xstrata decided they're going to shut down the metallurgical site in Timmins. The metallurgical site, for people to understand, is that we have a mine in Timmins called the old Kidd Creek mine; it's copper and zinc—a very rich mine, a very deep mine, with lots of production left in it yet. We have a concentrator and a metallurgical site in Timmins. They're going to ship the ore from the underground. They're going to ship it over to Timmins to the concentrator, and once it comes out of the concentrator in concentrate, they're no longer going to process anything in Timmins any more. It means the smelter, the refinery, everything is shut down. That would be like Hazel McCallion all of a sudden finding out that two thirds of the Toronto Pearson airport is shutting down. That's the effect to the city of Timmins.

1750

So I rise in the House today and I say to the minister quite clearly that it is within our power as a province to decide how we're going to transform mineral products in this province, and who's going to do it. We can do what Danny Williams did in Newfoundland when Voisey's Bay was about to get started and Inco was saying, "We're going to get Voisey's Bay up and running." They wanted to do the same thing. They wanted to mine, do concentrate and ship the concentrate somewhere else. What did Danny Williams do? He said, "No, no way. Those are Newfoundland and Labrador resources and they will be processed in this province. They will not go out, or else it stays in ground." Hurray, Danny Williams. I only wish we had a Danny Williams and not a Tory—trust me, because I don't like Tories. I only wish that Dalton McGuinty would have learned something from Danny Williams and would understand there's nothing in it for Ontario to go down this road.

If we allow Xstrata to do what they're doing in Timmins, it is only the beginning of the end, because we are no longer just individual mining companies or Canadian mining companies, as we used to be. I used to work for Noranda, a big Canadian mining corporation, and they used to have individual mines like Pamour that were run out of Timmins and made decisions about their operations in Timmins. You don't see that anymore. You've got somebody in Brazil like Vale Inco or somebody in Switzerland like Xstrata who says, "Let me look at the

bottom line. Oh, yeah. I can save myself 10% over here, 3% over there. All right, shut Timmins down." They don't care, and I don't expect them to care. They don't live here. They don't care. They do what they do for their shareholders. So I say to the government across the way, you have an opportunity here to do what's right.

I've asked the question of the Minister of Natural Resources and mines—no, I always get that upside down, but you know what I'm saying—to look into this particular issue. I put the question to him, and I hope the government is going to do what is the right thing and say, "No, those are Ontario resources, and if they're in the ground and extracted from this province, those resources have to be processed here in the province of Ontario." I understand because I know the next argument I'm going to get: "Well, you know, we already have some exchanges." Yeah, it's true. We have some exchanges from Quebec to Ontario when it comes to some minerals and when it comes to some forestry products, but those are pretty carefully guarded as far as not throwing away the baby with the bath water. We allow certain exchanges to happen to make sure that our other mills are in pretty good shape, such as we see with Abitibi-Price in Iroquois Falls, where some of the wood from that forest goes to Quebec and we get chips back into that mill. It's not an unknown thing. So I say to the government, you have an ability to stop this by saying to Xstrata, "No. You want to play that game? You say you're a good corporate citizen. We're going to force you to be a good corporate citizen and we're going to make sure that you don't have the ability to do so."

The last point I will make on Xstrata is this: They came to this Legislature and met with the Liberal caucus, the Tory caucus and ourselves about a year and a half ago. What did they say? They said, "We're here now to tell you that if the province of Ontario does not deal with energy prices and doesn't deal with some other of our cost factors" that they talked about, being transportation and others, "we are not going to come back and knock at the door. The next time you'll hear from us is when we close down Timmins and we ship the ore off to Horne in Rouyn-Noranda." Well, guess what happened? The warning bells were sounded. We raised it is with the government. Howard Hampton for years raised this issue in regards to electricity prices, and the chickens are coming home to roost.

So I've got to say to myself, if this is an energy-efficiency policy, I don't want any part of it, because we're certainly using a lot less electricity than we did in the past and we're losing lots of jobs. Xstrata was the largest single customer of OPG, of Ontario Hydro, and we're at the point where we're going to lose them if we don't do something quick.

The Acting Speaker (Mrs. Julia Munro): Further debate? Seeing none, I will now put the questions.

On the motion for concurrence in supply for the Ministry of Economic Development, is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Pursuant to the order of the House dated December 7, this vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Energy and Infrastructure, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Pursuant to the order of the House dated December 7, this vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Finance, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Research and Innovation, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Municipal Affairs and Housing, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Health and Long-Term Care, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Small Business and Consumer Services, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Community and Social Services, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Labour, is it the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Tourism, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

The vote is deferred to deferred votes tomorrow.

On the motion for concurrence in supply for the Ministry of Aboriginal Affairs, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This vote is deferred to deferred votes tomorrow.

Votes deferred.

The Acting Speaker (Mrs. Julia Munro): Pursuant to standing order 38, the question that this House do now adjourn is deemed to have been made.

ADJOURNMENT DEBATE

DRIVER EXAMINATION CENTRES

The Acting Speaker (Mrs. Julia Munro): The member for Sarnia-Lambton has given notice of dissatisfaction with the answer to a question given today by the Minister of Training, Colleges and Universities. The member has up to five minutes to debate the matter, and the parliamentary assistant may reply for up to five minutes.

1800

Mr. Robert Bailey: I'm rising tonight because of my dissatisfaction with the answer given last week to my question to the Minister of Training, Colleges and Universities, which for a reason I don't know was answered by the Minister of Labour at that time regarding the current financial position of the training completion assurance fund.

As the minister should know, the current labour dispute at the DriveTest centres is dragging into its fourth month. This tired and arrogant government has refused to take any action to get the centres back open and testing. I was shocked when the Minister of Labour dismissed the concerns of truck driving schools as an inconvenience upon his answering the question in the place of the Minister of Training, Colleges and Universities. This is more than just an inconvenience. For many people it means not being able to enter the workforce.

My question was directed to the Minister of Training, Colleges and Universities because he is responsible for training, which includes truck driving schools. All of these schools, like all private career colleges, have to pay a mandatory levy that goes into the training completion assurance fund. That is a fund designed to make sure that if a private college goes bankrupt, the student is then

protected. The arrogance of this Minister of Labour to simply dismiss my question and the concerns of potential truck drivers as a trivial inconvenience, and not answering a word about the status of the fund, was shocking, to say the least.

As I said last week, this is a very serious and troubling situation. For the record, I understand that there have been three draws on the fund, leaving it almost empty. The industry is rife with rumours that a large school is about to ask for a draw, which would possibly bankrupt this fund. This fund is paid for by the industry, but it is the government that is not doing anything to get the drive centres back open. So this should be the responsibility of this government, not the industry's responsibility, to make sure that these same students are protected.

Truck driving is the number one employer in Canada. By not allowing newly trained drivers to get licensed, you are effectively closing the door on employment opportunities. This minister and this government have shown a shocking, cavalier attitude toward getting the DriveTest strike settled, and they clearly have no idea about the status of this training completion assurance fund.

I'm looking forward to hearing this government's response to this question, and I would hope that this time they don't just parrot their old, arrogant, tired lines about the DriveTest strike that we've heard since this strike began.

The Acting Speaker (Mrs. Julia Munro): The parliamentary assistant has up to five minutes to respond.

Mr. Kevin Daniel Flynn: First, I'd like to acknowledge the concern of both the truck driving students and the school operators across the province of Ontario. Obviously, when a strike drags on like this, it is a difficult time for everyone. I think that concern would be shared by all members of the House. I'm sure I can speak on behalf of all members of the House when I say that I certainly hope that Serco and the Steelworkers decide that it's time to go back to the table and that they can reach an agreement to put this labour dispute to an end.

We have to think also that in the province of Ontario a great number of collective agreements never reach this stage. The collective agreement process we have in place does not result in this sort of stoppage. But in the meantime, I understand that Serco has made the decision to have management staff provide limited service, in the interim, to the public on a limited basis. It's my understanding that currently 19 sites have been set up across the province. Those sites are able to administer tests, for those who require their licence for either employment purposes or for training purposes, to meet the need in the interim as the dispute hopefully is concluded and everyone returns to the collective agreement process that they had in place before.

Our government has taken a number of steps to better protect students at private career colleges, including establishing what the member from Sarnia-Lambton was referring to: the training completion assurance fund. The training completion assurance fund is a fund that students

in the province of Ontario can access in order to complete their program in the eventuality that they encounter problems at their own school that has to close unexpectedly and they need to complete that education at a different institution, or they can receive, should they choose to, a refund of their fees from the TCAF as well.

I want to be very, very clear how that fund is administered. The superintendent of private career colleges is the person who manages the training completion assurance fund. How that is managed is with the advice of the training completion assurance fund advisory board. They are people who provide expert advice as to the management and funding of that board.

One of their main tasks is to ensure—the question the member from Sarnia–Lambton has asked—that there are sufficient funds to protect students in colleges that close unexpectedly. That fund is under management with the advice of the TCAF advisory board at this point in time, and it's my understanding that this process continues to date and that the fund is being managed well.

SCHOOL FACILITIES

The Acting Speaker (Mrs. Julia Munro): The member for Wellington–Halton Hills has given notice of dissatisfaction with the answer to a question today. The member has up to five minutes to debate.

Mr. Ted Arnott: I'm glad to have this opportunity to continue this discussion with the government in the Ontario Legislature, and I'm glad to have the chance to hear from my colleague the member for Kitchener–Conestoga, who I understand is the parliamentary assistant to the Minister of Education.

Last Wednesday in question period I asked the Minister of Education why she is standing idly by while students at McKenzie-Smith Bennett public school in Acton are set to lose their playground. Her response will astound parents in Acton, because it bordered on the irrelevant. According to Hansard, she said, and I quote, “They”—meaning the school board—“have decisions that have to be made about schools that are less than full” and “decisions about building new schools.”

First, this issue does not concern a school that is less than full. In fact, it concerns a playground that is needed in Acton and is already well used by hundreds of students and the community at large. I think it's important to point out that Acton is a community that is surrounded by the greenbelt, so it's not going to be able to grow, and there won't be any new parkland in the community in the foreseeable future.

Second, the minister continues to fail to publicly acknowledge that the ministry policy played any role at all in the decision to declare the playground surplus land. Not only did the ministry policy play a role, it was the driving force behind this decision. That's perfectly obvious and clear and was confirmed by a letter sent to the board in May by a senior Ministry of Education official. There's no secret about this. It's on the board's website.

The minister goes on to say that the school board has to “rationalize the use of their property.” It sounds to me as if the minister is trying desperately to rationalize her shameful abdication of responsibility. No one in Acton is buying her attempt to spin this as an issue of local autonomy, nor should they.

The solution isn't all that difficult. I have called on the minister to immediately review regulation 444, a regulation entirely under her purview. She must know, because we've told her repeatedly, that it is being interpreted in this case to compel the sale of public land considered to be surplus irrespective of the overwhelming wishes of stakeholders and the community at large.

There needs to be a requirement for public consultation. That was the suggestion of Melissa Secord, chair of the McKenzie-Smith Bennett school council. Her suggestion makes sense.

The minister knows that ministry policy is being interpreted to compel the Halton District School Board to declare the playground to be surplus land. The school board is then expected to sell it in order to use the proceeds to build new schools in other communities. She knows all of that, yet she continues to deflect responsibility to local officials. That's deceitful, and I hope there will be an honest correction to the record which reflects the truth of this matter.

Finally, I want to invite the minister, as well as the member for Kitchener–Conestoga, to come to Acton, to visit McKenzie-Smith Bennett public school, to hear for themselves what parents and local officials are saying. I would encourage them to do that: to hear from the mayor, the school board trustee, the school council and the region of Halton. After hearing from them, I suspect that the minister would be much less likely to defend her government's position, which quite frankly is indefensible.

1810

Acton is not very far from Conestoga. I've had the privilege of representing both of those communities. That's why I would tell the member for Kitchener–Conestoga, “It's worth the drive to Acton.”

In conclusion, local decision-makers are not the root of this problem. The problem is in the minister's office. The problem is her own bad policy. This government has been in power for six years now. The Premier purports to be the education Premier. If there are problems in the education funding formula, surely they are his to fix.

The Acting Speaker (Mrs. Julia Munro): The member for Kitchener–Conestoga has up to five minutes to respond.

Ms. Leeanna Pendergast: I'd like to thank the member from Wellington–Halton Hills for his question. It's my pleasure to have the opportunity, as the parliamentary assistant to education, to respond to my colleague and neighbour. As I understand, this is an important issue for him and for his constituents in Acton, particularly the parents, the children and, of course, the rest of the community at McKenzie-Smith Bennett public school.

I want to assure them, of course, as an educator and as a parent, that we recognize the importance of playgrounds, green spaces and parks for communities and families to use and to enjoy. That's why we encourage boards to work with their municipal partners to create a locally developed solution to these issues. I want to be specific: The policy framework, regulation 444/98, does not—and I reiterate, does not—provide the minister or ministry staff any authority to direct boards, municipalities or other groups to a solution.

School boards own their own property—their schools, their facilities, their buildings, their offices and their land. It's up to boards to decide at the local level how to best utilize their properties. There is a transparent process that all boards must follow if they wish to dispose of surplus property. I will just quickly go over that first.

The board must seek expressions of interest from other public sector agencies, beginning with co-terminous school boards and including municipalities. If no interest is expressed, the board can then offer the property on the open market.

I'd also like to touch on a draft policy that the Ministry of Education shared with our education partners earlier this year. In August, the ministry released a draft of a new facility partnership policy which would encourage boards to work with community partners to share underutilized facilities and to build new facilities together. We hope these partnerships will help make the most of our public assets. We hope that they will strengthen services and supports available to schools and students while building stronger relationships between boards, community partners and the public at large.

We're looking for feedback from boards and other stakeholders about this new policy, and we're working very hard to get this policy in place. We know that boards already have examples of successful partnerships. We want to see more of that, and we want to see it done in a way that is transparent and in a way that is sustainable.

Again, I reiterate that these are situations that are best worked out at the local level. We encourage local trustees, councillors, board staff and, of course, the parents from McKenzie-Smith Bennett and other concerned citizens to work together to come to a solution, to find a solution, of course, that works best for them and their community at the local level.

WORKPLACE SAFETY

The Acting Speaker (Mrs. Julia Munro): The member for Renfrew-Nipissing-Pembroke also expressed his dissatisfaction with an answer given. The member has up to five minutes to debate the matter.

Mr. John Yakabuski: I want to speak to the issue of the question I asked yesterday with respect to the behaviour of the Ministry of Labour.

Let's get one thing straight: The Minister of Finance/Deputy Premier said, "We can't comment on this because this matter is before the courts."

No, this matter's not before the courts. The Ministry of Labour dropped the charges, and the letter that they sent to the defendant's lawyer was that they dropped the charges because they don't believe their witness is reliable. The reality is, the Ministry of Labour dropped the charges because they got caught in their own web. The witness whom they are now trying to discredit is the injured worker, whom they were relying on to give false testimony in order to convict the Gulicks and their company who work out of Palmer Rapids.

We expect criminals to give false testimony. Regardless if they're innocent or guilty, we know that if they're guilty, they're going to say they're innocent. But one of the highest principles of justice in this country is that if you are the government, your interest has to be the truth, the truth above convictions, and this government and this Ministry of Labour have shown that it is convictions that matter, not the truth.

Let me give you a little bit of background here. The accident took place on September 7, 2007. On July 24, 2008, inspector Steve Brennan laid four charges under the Occupational Health and Safety Act. During the process between the charges and when they were supposed to go to trial, they embarked on a mission of intimidation and threats with the Gulicks, and through that process they denied that evidence existed. Get this one, Madam Speaker: Part of the reports of a previous inspector, Guy Nadeau, who had inspected the premises of the Gulicks in the late 1990s, were missing, and they would have been exculpatory, because they tried to paint a pattern against Gulicks which was totally false.

The lawyers, Linda Chen and Catherine Glaister, who in my opinion should be fired, and at the very least suspended, denied that the notes existed, doctored pages. Fortunately the Gulicks had kept all the originals, and this is what did in the ministry. They tried to present incomplete documents. They even went to on say that Mr. Nadeau lost the notes—it's all in his binder; it's just amazing—in a personal move. I don't know about anybody here, but do people take the notes home at night and lose them in a personal move when they're vital documents needed by the ministry? I hardly think so.

They then interviewed the witness, and tried to coerce the witness into making a false statement under oath—in fact, got him to rehearse and rehearse this false statement. Finally he couldn't do it, and he released and signed an affidavit about what the ministry was doing. Glaister, Chen and Brennan all went to visit him at his home and tried to coerce this out of him. Once that came out, the ministry then withdrew the charges, discrediting Mr. Hudder, saying that his testimony wasn't reliable.

I would be asking this ministry to go back and look at all the cases of those poor shmoe who didn't take on the battle, who were intimidated into accepting a guilty plea by the use of force by this ministry instead of going through the—because they threaten you with the maximum fine of \$2 million. Most people, when they're a small business in Ontario and they're faced with that, take their medicine even if they're not guilty.

So it's not just this case. I think it's about many other cases, and if the names Brennan, Glaister and Chen are attached to them, they should be investigated. There should be an independent investigation of their cases to see where there have been guilty pleas to see if they have in fact intimidated defendants and witnesses.

That's my request, and I hope the minister follows through on it. Thank you.

The Acting Speaker (Mrs. Julia Munro): The question asked in question period was not answered by the minister in his capacity as Minister of Finance, so I'm

therefore ruling that the parliamentary assistant to the Minister of Finance is not eligible to respond during this adjournment debate.

Mr. Wayne Arthurs: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Julia Munro): Sorry. There is no point of order during a late show.

Therefore, there being no further matter to debate, this House stands adjourned until 9 a.m. tomorrow.

The House adjourned at 1820.

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MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Ontario Medal for Police Bravery	
Mr. Frank Klees	9126
Kraft Hockeyville 2010	
Ms. Sophia Aggelonitis	9126
Egg farmers	
Mr. Ernie Hardeman	9126
Mining industry	
Mr. Gilles Bisson	9126
Diana Swain	
Mr. Kevin Daniel Flynn	9127
Taxation	
Mr. Robert W. Runciman	9127
Forest industry	
Mr. David Oraziatti	9127
Bernie Stewart	
Mr. Yasir Naqvi	9128
Infrastructure renewal	
Mr. Wayne Arthurs	9128

REPORTS BY COMMITTEES / RAPPORTS DES COMITÉS

Standing Committee on the Legislative Assembly	
Mr. Bas Balkissoon	9128
Report adopted	9129
Standing Committee on Justice Policy	
Mr. Lorenzo Berardinetti	9129
Report adopted	9129
Committee proceedings	
Ms. Lisa MacLeod	9129
Hon. Monique M. Smith	9129
The Speaker (Hon. Steve Peters)	9129
Standing Committee on Government Agencies	
The Speaker (Hon. Steve Peters)	9129
Report deemed adopted	9130
Standing Committee on Finance and Economic Affairs	
The Speaker (Hon. Steve Peters)	9130
Report adopted	9130

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

Election Statute Law Amendment Act, 2009, Bill 231, Mr. Bentley / Loi de 2009 modifiant des lois en ce qui concerne les élections, projet de loi 231, M. Bentley	
First reading agreed to	9131
Taxation Amendment Act (Exemptions for Artists), 2009, Bill 232, Mr. Tabuns / Loi de 2009 modifiant la Loi sur les impôts (exemptions d'impôt accordées aux artistes), projet de loi 232, M. Tabuns	
First reading agreed to	9131
Mr. Peter Tabuns	9131
Trades Qualification and Apprenticeship Amendment Act, 2009, Bill 233, Mr. Bailey / Loi de 2009 modifiant la Loi sur la qualification professionnelle et l'apprentissage des gens de métier, projet de loi 233, M. Bailey	
First reading agreed to	9131
Mr. Robert Bailey	9131
Taxation Amendment Act (Heritage Property Tax Credit), 2009, Bill 234, Mr. Arnott / Loi de 2009 modifiant la Loi sur les impôts (crédit d'impôt pour bien patrimonial), projet de loi 234, M. Arnott	
First reading agreed to	9131
Mr. Ted Arnott	9131
Energy Consumer Protection Act, 2009, Bill 235, Mr. Phillips / Loi de 2009 sur la protection des consommateurs d'énergie, projet de loi 235, M. Phillips	
First reading agreed to	9132
Visitors	
The Speaker (Hon. Steve Peters)	9132
Mr. Gilles Bisson	9132
MOTIONS	
Private members' public business	
Hon. Monique M. Smith	9132
Motion agreed to	9132

**STATEMENTS BY THE MINISTRY
AND RESPONSES / DÉCLARATIONS
MINISTÉRIELLES ET RÉPONSES**

Consumer protection	
Hon. Gerry Phillips	9132
Electoral reform / Réforme électorale	
Hon. Christopher Bentley	9133
Electoral reform	
Mr. Ted Chudleigh	9134
Consumer protection	
Mr. John Yakabuski	9134
Consumer protection	
Mr. Peter Tabuns	9135
Electoral reform	
Mr. Gilles Bisson	9135

ORDERS OF THE DAY / ORDRE DU JOUR

Concurrence in supply	
Hon. Brad Duguid	9136
Mr. John Yakabuski	9136
Mr. Paul Miller	9137
Mr. Robert W. Runciman	9139
Mr. John O'Toole	9142
Mr. Gilles Bisson	9144
Votes deferred	9149

**ADJOURNMENT DEBATE / DÉBAT SUR
LA MOTION D'AJOURNEMENT**

Driver examination centres	
Mr. Robert Bailey	9149
Mr. Kevin Daniel Flynn	9149
School facilities	
Mr. Ted Arnott	9150
Ms. Leeanna Pendergast	9150
Workplace safety	
Mr. John Yakabuski	9151
The Acting Speaker (Mrs. Julia Munro)	9152

CONTENTS / TABLE DES MATIÈRES

Tuesday 8 December 2009 / Mardi 8 décembre 2009

ORDERS OF THE DAY / ORDRE DU JOUR

Interprovincial Policing Act, 2009, Bill 203, Mr. Bartolucci / Loi de 2009 sur les services policiers interprovinciaux, projet de loi 203, M. Bartolucci

Mr. Garfield Dunlop	9109
Mr. Howard Hampton	9110
Mr. Dave Levac	9111
Third reading agreed to	9113

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mrs. Laura Albanese	9114
Mr. Michael Prue	9114
Hon. Jim Watson	9114
Mr. Ted Arnott	9114
Ms. Andrea Horwath	9114
The Speaker (Hon. Steve Peters)	9114

ORAL QUESTIONS / QUESTIONS ORALES

Government's record

Mr. Tim Hudak	9114
Hon. Dwight Duncan	9114

Social assistance

Mr. Tim Hudak	9115
Hon. Madeleine Meilleur	9115

Taxation

Ms. Andrea Horwath	9116
Hon. Dwight Duncan	9116

Taxation

Ms. Andrea Horwath	9116
Hon. Dwight Duncan	9116

Agency spending

Ms. Sylvia Jones	9117
Hon. Madeleine Meilleur	9117

Taxation

Mr. Michael Prue	9118
Hon. Dwight Duncan	9118

Manufacturing jobs

Mr. Jeff Leal	9118
Hon. John Wilkinson	9118

Taxation

Mr. Ted Arnott	9119
Hon. Dwight Duncan	9119

Affordable housing

Ms. Cheri DiNovo	9119
Hon. Jim Watson	9120

Affordable housing

Mr. Yasir Naqvi	9120
Hon. Jim Watson	9120

School boards

Mrs. Elizabeth Witmer	9121
Hon. Kathleen O. Wynne	9121

Child protection

Ms. Andrea Horwath	9121
Hon. Laurel C. Broten	9122

School closures

Mr. Eric Hoskins	9122
Hon. Kathleen O. Wynne	9122

Aboriginal land dispute

Mr. Toby Barrett	9123
Hon. Brad Duguid	9123

Mining industry

Mr. Gilles Bisson	9123
Hon. Michael Gravelle	9124

Report, Environmental Commissioner of Ontario

The Speaker (Hon. Steve Peters)	9124
---------------------------------------	------

Notices of dissatisfaction

The Speaker (Hon. Steve Peters)	9124
---------------------------------------	------

DEFERRED VOTES / VOTES DIFFÉRÉS

Animal Health Act, 2009, Bill 204,

Mrs. Dombrowsky / Loi de 2009 sur la santé animale, projet de loi 204, Mme Dombrowsky

Third reading agreed to	9124
-------------------------------	------

Time allocation

Motion agreed to	9125
------------------------	------

Barrie-Innisfil Boundary Adjustment Act, 2009, Bill 196, Mr. Watson / Loi de 2009 sur la modification des limites territoriales entre Barrie et Innisfil, projet de loi 196, M. Watson

Third reading agreed to	9125
-------------------------------	------

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Peter Tabuns	9125
The Speaker (Hon. Steve Peters)	9126

Continued on inside back cover



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Mercredi 9 décembre 2009



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 9 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 9 décembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

Prayers.

ORDERS OF THE DAY

ONTARIO TAX PLAN FOR MORE JOBS AND GROWTH ACT, 2009

LOI DE 2009 SUR LE PLAN FISCAL DE L'ONTARIO POUR ACCROÎTRE L'EMPLOI ET LA CROISSANCE

Mr. Duncan moved third reading of the following bill:

Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts / Projet de loi 218, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2009 et édictant, modifiant ou abrogeant diverses lois.

The Speaker (Hon. Steve Peters): Debate?

Hon. Dwight Duncan: Mr. Speaker, I will be sharing my time with my colleague from Pickering.

In the nine months since we introduced the budget, we have had some 40 hours of debate around all of the aspects of the budget. Of course, the most contentious and the most difficult part has been the tax reform package that the government brought forward. This package is designed to make Ontario more competitive, to give us a brighter future and to lower taxes for some 93% of Ontarians.

Since the budget was implemented, like all of my colleagues on this side of the House, I have had the opportunity to participate in a range of forums, a range of speaking opportunities, a range of question-and-answer sessions. I remember, I think it was the Saturday after I introduced the budget, I was at a local Canadian Tire and a retired schoolteacher who had been a supporter of mine came up to me and he wasn't too happy about the HST. He was saying, "I'm going to have to pay for my haircuts now, and a variety of other things." It turns out that about 18% of the things that we currently buy are now going to be subject to the HST that weren't subject to the PST. We had a chance to talk, and I explained to him the fact that his property tax credit for seniors would be doubled, that his personal income taxes would be reduced, and he

still wasn't certain. I'm sure to this day he still has questions. I think that's part of our ongoing challenge: that is, to help people see what I call this package of reforms that will help Ontario's economy as we come out of the recent downturn, help us create jobs.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): The member for Durham.

Hon. Dwight Duncan: There are a number of myths around the HST that have been, in my view, amply debunked by some of this province's and country's leading economists. The first one, of course, is that it's a tax grab. It's not; in fact, over the course of the first four years of implementation, the government will forgo some \$3.4 billion in tax revenues resultant from this tax package. That's important for people to understand. They say, "How does that happen?" I'll tell you. It's outlined in the budget, and I would invite people to go online at the Ministry of Finance website to see this. There are billions of personal and business tax cuts.

As Roger Martin and others have pointed out, these tax cuts will make Ontario one of the most competitive jurisdictions, both on the corporate tax side and on the personal income tax side, which again will stimulate jobs and stimulate growth in the economy.

Jack Mintz, who is a professor at the University of Calgary, was called upon last year as the expert witness for the Conservative Party of Ontario at budget hearings. He was asked by the leader of the Conservative Party, "What is the single most important thing you could do, if you had one thing to do?" Mr. Mintz at that time said that in fact harmonizing the sales tax was what he would do.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): The odd interjection, although out of order, is tolerated, but constant chatter isn't going to be. We're going to listen to the people who have something to say this morning in a very important debate.

Minister of Finance?

Hon. Dwight Duncan: As I indicated earlier, Mr. Mintz came out with a study late this year that indicates that this government's tax package will create some 591,000 net new jobs over the next 10 years. It will raise incomes and in fact—this goes to the second myth—lower prices overall. That was the experience in the Maritime provinces when they harmonized. That has been the experience across all of those provinces when harmonization occurred. So this package overall is a job creator. It will reduce prices. It will raise incomes. It's a

much more efficient form of taxation. That's why so many leading economists have supported it.

I remember the day we introduced the budget, some nine months ago. I was particularly proud that groups as diverse as the Daily Bread Food Bank, the 25 in 5 coalition—a virtual “who's who” of the anti-poverty movement across the province—endorsed the budget. They endorsed raising the Ontario child benefit to \$1,100 two years ahead of schedule. They supported the reduction of the tax bracket on the first \$36,000 of income, an 18% cut overall, to make Ontario the lowest tax jurisdiction at that tax level.

It's that package that I think is why the experts have all chimed in and why we were able to move. It was with the assistance of the federal government that we were able to move. It was with the \$4.3 billion that will help people transition to the new tax system. I think over time that's why virtually every finance minister I've spoken to says this is the one thing they would have done if they could do it all over again, because the evidence is overwhelming and compelling.

Immediately after the budget debate, of course, we had a debate on the budget motion itself, and we heard a lot of debate around the HST and other initiatives in the budget. I remind you that there were considerable other initiatives, including \$32 billion in infrastructure spending over the next two years. That money is in the ground.

My caucus colleagues and I began to attend meetings. I remember one of the first I attended was with my colleague from St. Catharines with the St. Catharines Chamber of Commerce. We took questions and answered. Some of the questions were tough; a lot of people didn't see the whole package, and, again, we will continue to help people see that. We will continue to work with them.

I attended meetings in Thunder Bay with my colleague the Minister of Northern Development, Mines and Forestry, Mr. Gravelle. We spoke before some 200 or 300 people; again, questions—tough questions—about this. People have a right to ask those questions, and the government has an absolute responsibility to explain its policies and programs. Again, the myths around this have been debunked well by a number of economists and others.

0910

I think it's time now to move forward. We've had some 40 hours of debate here in the House. I've lost track of all the sessions I've attended; I think more than 100. Just the other night, I met with representatives of the rural communities—turkey farmers, chicken farmers—all of them expressing their support for this. What they see are exemptions on the sales tax that they've been asking for, for many years, and they recognize, as do farmers across the country, that this type of policy—a harmonized, value-added tax—actually assists farmers, helps our farming community and helps their bottom line. That's why we've been very, very pleased to have their support and endorsement on these measures. That is not to underestimate the challenge of explaining it to all Ontarians,

and that is what we'll continue to do once this bill is passed.

The first tax cut will take effect on January 1, in some two and a half weeks. It will be a cut on income tax, which will be phased-in over a couple of years, followed this summer by corporate tax cuts. The \$4.3 billion from the federal government is being used to help transition people to that. In June and December of next year and in June 2011, they will receive transitional payments to help them adjust to the new tax system.

We have spoken with experts and average citizens across the province. We have participated in debates in this House and in committee. We have heard from people—we have heard from a lot of people. I have personally met with a number of industry groups. I was very proud that we were able to work with the housing community to resolve a number of challenging issues they had, once this was introduced. We were able, as I said, to resolve a number of issues with them.

We continue to work on implementation of the tax. On July 1, the new sales tax system takes effect. Now that we're nine months into it, we've signed the agreement with the federal House, and I was just passed a note that the federal bill passed second reading in the House last night by a vote of 246 to 36, so we are ready to move. Doing nothing is not an option. The status quo is absolutely the wrong thing to do. This package will create jobs.

You know, when the Canadian vehicle manufacturers and exporters came out in favour of this, I was particularly pleased, because in my hometown we have been devastated, as have manufacturing towns everywhere. I must say that I've had criticism from my folks at home about this: wondering about it, why and what are the problems? I believe, to the core of my being, that this is absolutely the single, most important thing we can do to bring auto jobs back to this province.

I was reminded yesterday by my colleague from Peterborough that General Electric announced a \$100-million investment in their plant, which will create jobs. I had a chance to meet with the president of General Electric Canada. She told me, and they've said publicly, that it was as a result of our tax package that they were able to bring that investment to Ontario. Telus and Bell Canada have done the same thing. This package is about jobs and it's about lower taxes overall for people, and I'm committed, as I know my colleagues are, to continuing to help people understand it as we move toward implementation.

I want to take a moment to thank all my colleagues: my parliamentary assistant, Mr. Arthurs, and a variety of others who, I think, have shown leadership and strength as we moved through the various stages of debate—some 40 hours plus in this House, committee hearings and public hearings across the province in a variety of forums.

It's time now to take a clear and well-defined position. It's no longer good enough to say something back in March and something different now. Let's get on the record. Let's see what plans people have. Let's see what

others want to do to create jobs. Let's see a package that will produce this kind of results for Ontario over the next 10 years.

The significance of this tax package should not be lost on everybody watching. We have seen, over the years, growing competition from our sister provinces in Canada with respect to corporate taxes. I had a meeting again last night with a number of tax experts, and I was reminded again that one of the reasons we eliminated the capital tax is that capital moves very quickly. You can move it with the push of a button on a computer now. We could not continue along the path we were going without the fear of loss of more jobs.

So as difficult and as challenging as this is, it is absolutely the right thing to do. I applaud those Ontarians who have stood up, asked questions, opposed. This has been an important debate. It is an important issue. It talks to our future; it talks to our strengths; it talks to our challenges. We believe it's the right plan to get Ontario moving forward, to create jobs, to raise incomes, to raise capital investment, to help our manufacturers.

Finally, a variety of other groups—for instance, the forestry sector—overwhelmingly endorsed this package as being the single most important thing we can do to help the forestry sector get back on its feet here in Ontario. So that's another reason we were glad to do this.

I'm going to yield the floor to my parliamentary assistant and thank him for his leadership both in the development of this policy and now in the implementation, and finally, as we move forward, for helping to educate Ontarians in a dispassionate, rational way about the importance of creating jobs, the importance of capital investment, the importance of a competitive economy. As I said when I introduced this package, when we get through this time, and we will, Ontario will be bigger, Ontario will be better, and Ontario will be stronger.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Lisa MacLeod: I'm honoured to lead the debate today on behalf of Tim Hudak and the official opposition. I will be sharing my time with our finance critic, the MPP from Parry Sound–Muskoka, Norm Miller.

It has been clear since the Liberals announced their intention to harmonize our sales tax with the federal GST and implement a \$3-billion tax grab that the PC caucus would oppose it every step of the way. We promised Ontarians that we would fight the \$3-billion Liberal tax grab on the middle class and seniors tooth and nail. We promised Ontarians that we would use every legislative tool at our disposal to fight their 8% tax hike. And we promised Ontarians that we would be their voice in the HST debate, because the official opposition knows they can't afford another McGuinty tax grab—not this time and not ever again.

I admit this fight with the Liberal majority was an uphill battle. The odds were stacked against us. The Liberals, of course, later today, will use their majority to ram this \$3-billion tax grab through.

But I'm proud that every promise Tim Hudak and the PC caucus made, we were able to keep. The other side

can't claim that victory. It's a moral one, and it's an important one. The PC caucus is proud to be the team who sided with soccer moms in Barrie, the retired police officers in Hamilton and those trying to make a living as hairstylists, massage therapists, and the tourism industry everywhere from Nepean to Niagara, Kingston to Kenora, and every village, city and town in between.

Benjamin Disraeli once said, "that all power is a trust; that we are accountable for its exercise; that from the people and for the people all springs, and all must exist." Sadly, this Liberal government has forgotten that, if they ever knew it.

Some may talk about antics, they may disparage stunts, and they may even dismiss this fight against the HST. For them I feel regret. In the years to come, our province is going to look back at this HST debate as more than just another law and as more than just another McGuinty tax grab. In fact, these were the moments that defined the Liberal government as out of touch. As much as they may claim victory on legislation today, it is they who will ultimately lose. In fact, I believe they have already lost. Not only did they consistently shut down debate on the HST, but they limited public hearings for the people who wanted answers from their government—consistently. Over three dozen Ontarians who wanted to come to participate in committee were shut down. Almost 200 Ontarians who made written submissions in the very short period of time they were able to, were told that their voice didn't matter by the Liberal chair. Ultimately, it was the Liberal government who walked out and cancelled the one meeting where the opposition could make a difference in clause-by-clause. We could have legitimately improved the bill and softened the harsh impact that the \$3-billion McGuinty tax grab will have on Ontarians.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order. Thank you.

0920

Ms. Lisa MacLeod: When the Liberals walked out of committee hearings, they hammered home their contempt of those in this chamber and of the public who dared to get in the way of their rush to whatever's left in our wallets.

But these moments also showcase the unity, the resolve and the determination of Tim Hudak and the PC caucus. We used every tool at our disposal, and as my colleague from Parry Sound–Muskoka points out, that even included a forklift, which was used to carry over 500,000 amendments that would have saved Ontario taxpayers from paying billions more. Everyone in the PC caucus can be proud leaving this chamber today knowing that they defended Ontario taxpayers by doing everything possible to stop this tax grab.

But above all, these moments brought forward the emotions of Ontarians, the likes of which I have not seen since being elected to this place just short of four years ago. How else can you explain the hundreds of thousands of Ontarians who signed petitions to oppose the 8% tax

grab on home heating, haircuts, snow removal and Christmas trees? How else can you describe the hundreds of Ontarians who showed up at this chamber at Queen's Park to protest the \$3-billion tax grab on families and the middle class?

And how else do you explain these comments from Barrie? "The biggest insult of all to we citizens has to be the additional 8% tax increase the provincial government is going to add on the debt retirement payments we now pay because of the former Ontario Hydro's \$38-billion debt. This is tax on tax on tax.... Oh, boy!" That's from Jack Garner of Barrie.

From Brant: "It's going to be a negative impact on the majority of us. It's another thing that will make it difficult for seniors to stay independent in their homes." That's from Doris Post.

Doug Priest from Haliburton-Kawartha Lakes-Brock says: "This province will be crippled if this unprecedented tax grab, cleverly disguised as the harmonized sales tax, comes into effect. It will mostly hurt retired people and people on ... fixed incomes."

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): The member for Huron-Bruce, come to order.

Ms. Lisa MacLeod: William Sinclair of Oakville says, "The HST, by attacking the basic necessities of living, is unfair to students, working families and especially seniors. It should be amended to substantially lower the rate or be scrapped altogether."

From Peterborough: "I am so insulted and unforgiving of the HST proposal. Based on his comments in the article, it is my opinion that Mr. Leal needs to find a better day job and learn some accounting if he wants to know how a box is taxed. Or work on getting a conscience."

Clark and Jo-Ann Thompson of Timiskaming-Cochrane: "The new HST increases in items never taxed before will cause hardships on those on fixed incomes. Knowing northern Ontario problems, I would have hoped the northern members in the Liberal Party would have had more influence with the Premier."

When the Liberal government decided to shut down the voices that opposed them at committee, I received a letter from Mississauga. I'm going to read the whole thing:

"I watched with great interest, and with a growing sense of revulsion and disgust, at the way you were treated in committee on Thursday, December 3.... I viewed, via the Ontario Parliament network, the committee hearings, and I was particularly impressed with your no-nonsense, straight-to-business attitude.

"However, I found myself being actually embarrassed, when Bob Delaney (Acting Chair) deliberately spoke over you, a most discourteous action and one that Mrs. Albanese repeated later on in the committee's deliberations.

"I will be perfectly honest with you: I am not a supporter of the Conservative Party. However, the right of freedom of speech and conscience is fundamental to democracy, and any infringement, no matter how transient or minor, denigrates our society as a whole.

"I feel duty bound to offer my apologies to you for the rather rude treatment at the hands of Mr. Delaney. At this point, you are probably wondering why a complete stranger would take the time and trouble to compose and dispatch a letter apologizing for the ill-mannered conduct of somebody else.

"Well, in response, I have to admit that Bob Delaney is my MPP ... and quite frankly, I am ashamed of his conduct in committee. Not only did he demean you with his actions, he also demeaned himself and the political process as a whole.

"I took great interest in your attempts to extend the committee [sitting] time past the 6 p.m. cut-off, and was disappointed but not very surprised when the majority Liberals on the committee objected.

Interjection.

Ms. Lisa MacLeod: That's from Mr. Wulf Hallifax.

The time for debate put forward by the Liberals today is too draconian to speak in more depth on the HST bill, but I'll leave you with one simple, yet profound, thought on liberty. John Stuart Mill, a British Liberal in 1859, said, "The tyranny of the majority" is now generally included among the evils against which society requires to be on its guard."

I want to thank Ontarians—Mr. Wulf Hallifax and so many others who contacted official opposition offices—for joining us in the fight against the HST. I want to assure Ontarians that we in the opposition are going to continue to be on guard for them in the next two years, to hold this Liberal government accountable for the new \$3 billion in revenues they will be taking in off the backs of seniors and the working middle class. You should be ashamed of yourselves, Liberal Party.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Peter Tabuns: I'm pleased to have the opportunity to address this issue. The reality of this tax is that it is going to hit the arts community quite hard. There was a promise made by this government a number of years ago to remove the provincial sales tax from tickets for live theatre. That promise was welcomed greatly by people in the cultural community, who understood the need to give that kind of support to the arts. That has been swept away. That support has been swept away.

When you talk to actors, musicians and others who are trying to make a living in the arts—and finding it extraordinarily difficult in this province and in this recession—you realize very quickly that for most of them, the HST is going to mean a reduction in their standard of living. The simple reality is that musicians who play at private functions already find they have difficulty collecting from people, because people don't have a lot of cash in their pockets. They realize—and they are very clear and direct in their statements—that they will have to absorb this HST, that in fact they will not be able to pass that cost on to the public—to their customers and their clients—and will simply see a reduction in their incomes.

This bill, supposedly to help the people of this province, is going to result in a reduction in their standard of

living. It's going to result in a reduction in the standard of living for a large number of artists and people who work on a freelance or self-employed basis. They realize they will not be able—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Could the conversations be taken outside? If I can hear them, I'm sure the member who has the floor can hear them.

Ms. Cheri DiNovo: Stop the clock, Mr. Speaker.

The Deputy Speaker (Mr. Bruce Crozier): I'll take care of things here in the chair; you understand that.

The member from Toronto—Danforth.

Mr. Peter Tabuns: Thank you, Speaker.

If this government is committed to small business people, the self-employed, actors and musicians, then it will not move this tax forward. It will abandon this project and respect the need of people in this province to make a living and be able to afford the necessities of life.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

0930

Hon. Monique M. Smith: I am pleased to have the opportunity to speak to Bill 218 ever so briefly, as the member for Pickering—Scarborough East will be finishing off for us and has done such a tremendous job on our behalf.

My city council has asked me to read its resolution, and while some have suggested that the resolution is somewhat politically motivated, I will read it. It was addressed to Yasir Naqvi, the Minister of Revenue, and I was afraid it might go astray. I am reading it on behalf of the city.

"Whereas the North Bay city council has previously approved a motion on September 21, 2009 requesting that the proposed provincial harmonized sales tax (HST) not create a new tax burden for Ontario citizens; and

"Whereas that motion further stated that items that previously had only one level of taxation (GST) on them not have the new PST levies added through harmonization; and

"Whereas the provincial government recently showed acknowledgment of the impact of an added tax burden through HST and took action to lessen that burden on November 12, 2009 by exempting coffee, newspapers, and some fast food meals from the new taxation;

"Be it therefore resolved that it is respectfully requested that the province continue to ensure no new tax burden for Ontario residents and move exempt all single taxation items (for example: gasoline, natural gas, and electricity) from any new levies under the proposed HST; and

"Be it further resolved that the province be urged to delay any implementation of the HST until full consultations are held across the province and not just on Bay Street in downtown Toronto; and

"Be it further resolved that the Hon. Monique Smith, MPP Nipissing be requested to read this motion into the Legislature's minutes; and

"Be it further resolved that a copy of this motion be forwarded to the Minister of Revenue; Minister of Finance; Premier of Ontario; leaders of the opposition parties; Hon. Monique Smith ... and to the Federation of Northern Ontario Municipalities."

I disagree with some of the notions that the city has put forward. I believe that the people of Ontario and the people of North Bay are looking quite forward to the tax cuts that they will receive on January 1, as 93% of Ontarians will be receiving a tax cut.

I've spoken to small businesses in my community, who are quite excited about the fact that we are going to harmonize sales tax; it will help them. I believe that the tax cuts will make Ontario more competitive and will attract jobs, which is incredibly important to the city of North Bay.

I know that the Daily Bread Food Bank and many are supportive of our budget, and I believe that—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): The member for Simcoe North will come to order.

Hon. Monique M. Smith: —the city of North Bay is looking forward to new jobs and new economic development. I will continue to work with them to ensure that, and I believe that Bill 218 is a very important step in that direction. Thank you for the opportunity, Mr. Speaker.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Norm Miller: It's my pleasure to have an opportunity to speak to Bill 218, which, of course, is the bill that is bringing in the HST in the province of Ontario.

I'm speaking on behalf of tens of thousands of people who did not have a chance to speak for themselves in protest to the McGuinty government's harmonized tax plan. I'm speaking for seniors and middle-class families, who simply cannot afford to pay another 8% on hydro, home heating, oil, gasoline and a host of services. I'm speaking for small business owners, who understand that this tax will curb consumer spending and delay the economic recovery they desperately need. I'm speaking for the contractors, who know that this tax plan will fuel a growing underground economy.

I'm pleased to see that the member from Nipissing got on the record the resolution from the city of North Bay, which I have before me, because to this point, even though she had been asked to bring it to committee, she had not. So she did read it out. She didn't seem to read it with a lot of passion, though. In fact, it was speed-reading at its best. It is noteworthy that this resolution, which is number 2009-765, was unanimously passed by council at its regular meeting held on November 30. To this point, the member had said that she didn't have this resolution, didn't have time to deal with it. So I'm pleased to see that it's on the record now, but not much passion there.

I think it's also clear that the resolution—one of the points it stated was: "Be it further resolved that the province be urged to delay any implementation of the HST until full consultations are held across the province and not just on Bay Street in downtown Toronto."

It's very clear that the government did not listen to that part of the resolution. In fact, the member from Nipissing, in her role as the House leader, brought in a time allocation motion which was quite draconian and which basically forced this through so that we had all of a day and a half of public hearings, with very, very little opportunity for people to even know about it. There was not any advertising to speak of about when these public hearings were going to occur. It was a matter of hours' notice. It's amazing that anybody even knew about them, and they showed up. There were no public hearings outside of the city of Toronto here at Queen's Park, despite the opposition doing everything we could to try to get the government to have even one day of public hearings outside of Queen's Park. We would have loved to go to North Bay, for example, to let the people of Nipissing have their say, because I know the members of the opposition are hearing big time from thousands—thousands—of average people around the province who are concerned about what this bill is going to do and what this extra 8% is going to do to them. Despite having no advertising for the public hearings and very little warning about them, we did hear from many people concerned about this new tax.

The government has said that this is going to create some 600,000 jobs over six years, I think it is. Can they believe it? We just heard from the Auditor General yesterday that they also said they saved \$45 million with the buy-Ontario program, and it was in the budget document. Now we learn from the Auditor General that in fact, no, they didn't save \$45 million; they saved far less than that. The bit they did save, they actually spent, so it was less than \$1 million. So in fact, the budget document was incorrect. If it's in the budget document saying that they saved \$45 million when they really didn't, what can be believed as to their job claims? So far we've seen no evidence that any of their claims—I think the Premier has made claims about possibly creating a million jobs, if you add up all the various claims, the 50,000 for the Green Energy Act and other various job claims. What can you really believe?

We heard at committee from those who are going to be affected. Overwhelmingly, the people who did discover these public hearings at Queen's Park were voicing their concerns, and it was a wide variety of different groups. We heard from associations of children's camps around the province who came. There are lots of them in Parry Sound–Muskoka, and they came and spoke and said they're concerned that the 8% extra cost on fees will result in a 10% reduction in participation at children's camps. You'll have fewer kids getting exposed to camps and getting physical exercise etc. Also, when we asked them what it's going to mean for employment, they expected 10% fewer jobs for young people around the province.

We heard from Curves, from fitness gyms, who are very concerned that it's going to have a negative impact on their business and on employment in their business, and go against the government's own objectives of trying

to promote healthier lifestyles. We heard from bowling alleys that are concerned it's going to have a negative impact on their business. We heard from the real estate industry that it's going to have a negative effect on the purchase of new homes, the 8% on various fees to do with real estate transactions.

We heard from condo owners who are very concerned about the 8% on all the management fees. It's going to be a significant new cost for condo owners across the province. We heard from the golf course associations. Certainly, golf is a recreational activity, but it's also a really big business here in the province of Ontario that employs thousands and thousands of people. And guess what? This is going to have a huge negative impact on the golf course businesses across the province.

Everyone we're hearing from is telling us there are going to be fewer jobs, not more. So based on the government's record, can you really believe this latest claim that they made?

We heard from the investment industry—this is an area that I think is particularly bad—which says that the 8% on management fees for mutual funds is going to cost Ontario residents, they estimate, between \$300 million and \$500 million a year in extra tax on people trying to save for their retirement. They also pointed out that in Canada we are unique in the areas that have value-added taxes and that other jurisdictions either have a rebate or don't tax mutual funds. So this is unique in the way that it's being done here in Ontario, where people's retirement savings are going to be taxed, and it's going to make it much more difficult for them to raise the funds they need to be able to retire.

0940

We heard from massage therapists who are concerned how it's going to negatively impact their work. They also had questions like: Why are physiotherapists exempt and massage therapists not? We heard from athletic therapists as well, concerned about how it's going to negatively affect their work and people being able to afford to get the therapy that they need.

We heard from individual seniors. One senior came before the committee; she looked at her income, looked at all the things that she would be paying for that she doesn't currently pay for, and from that calculation—she went through a detailed calculation—she pointed out that she will be paying some \$2,461 in extra new tax that she isn't currently paying. She expressed concerns that this may mean that she won't be able to afford to stay in her home.

I know I've read into the record countless e-mails from constituents of Parry Sound–Muskoka with the same sorts of concerns. I've used the opportunity. I haven't heard any of the government members; I'm sure they must be getting the same e-mails, but surprisingly none of them have gotten on the record the concerns of their constituents.

Overwhelmingly, at the public hearings—the short, day-and-a-half public hearings—we heard people concerned about how this is going to affect them. Obviously

the government has used time allocation; they've rammed this legislation through. They're not interested in listening to the people of this province. They're out of touch with the people of this province. I think, unfortunately, the great majority of the people of this province are going to discover on July 1, 2010, that the McGuinty tax grab is in fact that, when they go and fill up their car at the pumps and learn that gas is eight cents a litre more. They'll know who they can blame: the McGuinty government for ramming this legislation through.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Andrea Horwath: It's my pleasure to rise today and put on the record some really serious concerns that New Democrats have with the harmonized sales tax, not only in terms of what it will do to the people and the businesses of this province, but also the way in which this government behaved in the process of bringing this legislation forward. I say that because we all know that this government has rammed this legislation through as quickly as they possibly can and with as little debate as possible, notwithstanding the loose way that the finance minister dealt with the truth earlier on in his remarks. The truth, in fact, is that there has been no 40 hours of debate in this Legislature on this bill. I don't know where he picked that number from—obviously from somewhere in the sky—because there has been less than 10 hours of debate on this bill in the Legislature, Mr. Speaker, and as a Speaker you would know that very well—less than 10 hours of debate on one of the most important pieces of legislation that are going to the people of this province.

I have to say, I think it's indicative of the way that the government has spun their message on this tax, the way they're spinning their last few remarks in third reading; pretending somehow that there were 40 hours of debate in this Legislature—shame on them. You can't even believe their estimate of how many hours the bill is being debated; how are you going to believe anything they say about the harmonized sales tax? That's what I'll be speaking about in just a few minutes.

There were a couple of hours of time put to this bill in committee, and that's something that I think we all acknowledge. But what was that? That was about 15 or 16 hours here in Toronto. They didn't go across the province. They didn't go to any of the communities where we get e-mails and letters from every single day. Over 200,000 people have contacted New Democrats to say, "We do not want this legislation in the province of Ontario. Tell the government not to bring it forward." They would have wanted to tell the government themselves, but the government refused to take this most important legislation out to public hearings across the province so that the people of Ontario could tell them what they thought of this hare-brained plan. That's the decision the government made, and it's important to put on the record that their claims of consultation are just that: They are claims, and they don't hold water. It is not the case. There were no public hearings.

They might have had some fundraisers where they talked about it; they might have had some by-invitation-

only meetings, the Liberal MPPs—they might have gone out to speak at a few chambers of commerce in the province of Ontario, but they did not hold public meetings on this legislation, and New Democrats say shame on the government for that. Shame on them. Not only did they close down the debate, which is why we only have 20 minutes for each party today to speak to this particular legislation, and not only did they not take this legislation out to public hearings across the province, but right up until Monday night, Liberal members walked out of a committee meeting, refusing to undertake the process to have the clause-by-clause review of this bill take place.

Right up until Monday night they'd been avoiding all of the debate on this bill. Right up until Monday night their members actually walked out of a committee. Shame on them. They have an obligation. They have an obligation to the people of this province to make sure that the bills they bring forward are appropriately scrutinized and reviewed. But this bill, this odious bill—once again, the Liberal government didn't even want to stand up and do the work that needed to be done to get it through the proper processes in this Legislature.

So once again I have to say that New Democrats are—I would say "disappointed" is not strong enough language. We are disgusted with the way this government has behaved in terms of the harmonized sales tax. That's a bit of the process, just to clarify some of the misrepresentations, perhaps, that were brought forward by the finance minister in his remarks around what the process was or wasn't. But I think the more important thing is what we have been hearing from the people of this province as they've been calling us, writing to us and telling us about their worries and concerns.

First and foremost, this legislation is going to kick people when they're already down. The harmonized sales tax is going to financially hurt the people of this province. This government has become so arrogant and so out of touch with the people of Ontario that they don't even realize that people are losing their homes; people are losing their jobs and their pensions; people are suffering. They're struggling in this economy, and this government decides to bring in tax reform that's going to make life a heck of a lot—a hell of a lot—less affordable for people. Shame on them. Shame on them for being so distant from the people that they don't even realize what this legislation is going to do to them, what this tax change is going to do.

That's not me saying it; that's every single one of those 200,000 people or more who have put the petitions into our campaign. It's people every single day, when we go back to our ridings, who say to us as MPPs—and I'm sure they're saying it to them too; the difference is that we listen and they don't—that they are very worried about the impact of this tax, that they're very concerned that it's going to kick them when they're already down.

What else is going to happen? The tax is going to be brought in at a time when we need to have people with a little bit more money in their pocket to spend in the economy, right? It's a counterstimulative tax: 8% more is go-

ing to mean that people are not going to spend as much, because they don't have as much to spend, with this tax added on to the price of so many new goods and services. It's a counterstimulative tax, at a time when we need that kind of stimulation in the economy for people spending money. So it's absolutely wrongheaded in terms of bringing it forward at a time when we already have trouble with our economy. I'm sure the finance minister, although he's giggling over there, recognizes that.

Up until the government paid someone to bring forward a report that justifies their claims around jobs, it's very clear that every other expert in this province has said that the harmonization of taxes is something that slows the rate of job growth in the province of Ontario. This is not something that I've made up. The Ontario Chamber of Commerce has said very clearly that the harmonization of sales tax will reduce the rate of job growth in this province by some 40,000 jobs annually. That's not just me; that's the Ontario Chamber of Commerce, an organization that I don't necessarily tend to quote that often. Who else says that? The CD Howe Institute, another organization that I very rarely quote, but they also have said that there are going to be some 38,000 to 40,000 fewer jobs created in this province as a result of harmonization.

0950

I have to say very clearly that these two reports came out without interference and pay by the government. These were independent reports, unlike the report that the government paid for that all of a sudden is totally opposite from what these other reports say. It's playing a game with the facts when this finance minister gets up and says that somehow 600,000 jobs are going to be created.

I think everybody in this province realizes that this government likes to pay out of pocket for all kinds of contracts and all kinds of experts to say whatever their bidding is. Certainly, if you get paid for the report, you're going to put in it what the government paid for, which is something that is different from what every other expert has said so far, at a time when we are shedding jobs in this economy still, to this day.

We have to recognize that any policy that's going to reduce the rate of job growth in the province is absolutely the wrong thing to do.

The shame is that this government is once again ignoring those studies and ignoring that evidence and plowing ahead with something that not only is going to hurt people when they're down financially already, is not only going to reduce the amount of activity in the economy in terms of people spending, but it's also going to reduce the rate of job growth in this province. I say shame on them for that. Shame on them.

This tax is also an unfair tax, because it takes the tax burden off the corporate sector again—the same tired old policies that we have been dealing with for 10, 15, 20 years in this province. This Liberal government is once again giving the big corporations a big tax cut and foisting the responsibility for taxes onto the backs of consumers. That is absolutely wrong.

They like to pretend that somehow this is a progressive tax move. It is absolutely regressive. Consumption taxes are not progressive taxes. Everybody agrees: Consumption taxes are not progressive.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): I'd like to hear what the person on the floor is saying, and I'm sure you would, too.

Member?

Ms. Andrea Horwath: Thank you, Speaker. I appreciate that.

The bottom line is that the government, this Liberal government—I'm kind of laughing, because you'd never guess that they're actually a Liberal government. They're more Conservative than Liberal.

Nonetheless, the bottom line is, this tax is absolutely regressive. It takes the burden for taxation, the responsibility for taxation, off the corporate sector and puts it on to consumers. That is a regressive tax. No matter how you paint it, it is a regressive tax.

This government likes to pretend that somehow this move is the new world order, when in fact it's the oldest trick in the book, and the trick is on the backs of the people of this province. They're the ones getting tricked.

I have to say, they're not being tricked, because they know very well that their government is doing the wrong thing. They know very well that their government is kicking them when they're down. Their government is happy to make life less affordable for them.

Who are those people? My colleague the member for Toronto–Danforth has already talked about the arts community. Small business: My colleague from the riding of Parkdale–High Park reminded me that 80% of small business is opposed to the harmonized sales tax. In fact, the Canadian Federation of Independent Business did a survey of their members and some 60% said they could see no benefit whatsoever, nothing of value at all, in the harmonization of sales taxes.

I go to places like St. Catharines and I get stopped at the farmers' market by people congratulating me on the fight and saying, "We have a small business, and we are not happy with this tax. We do not like what it's going to do. It's going to hurt our small business at a time when our business is already suffering." Talk to bed-and-breakfasts, B&Bs; they say the same thing. People in the tourism industry: They say the same thing. I have to say that small business unequivocally is opposed to this tax.

The Ontario Real Estate Association: They are unequivocally opposed to this tax. Why? Because they believe that the cost of resale housing is going to increase. The cost of the transactions around resale housing is going to increase by some \$1,500, and that is because of an increase in the cost of everything from the legal fees to home inspections to moving costs and everything else. They know that this tax is the wrong thing to do for real estate. They have been very vocal in their opposition and we support them in their concerns.

Rents are going to go up as well, as we know. Condo fees are going to go up. People are struggling to keep

roofs over their heads, they're struggling to make ends meet in this economy, and the most expensive part of their lives, often—their housing costs—are going to go up because of the harmonized sales tax. Maintenance fees are going to increase for condo owners and they're not happy about it, and I don't blame them.

We had a demonstration here not too long ago because the First Nations of this province are disgusted with the way they've been treated by this government. I had the pleasure of standing in the media studio with Ontario Regional Chief Angus Toulouse, with Grand Council Chief Patrick Madahbee, with Grand Chief Randall Phillips and with Grand Chief Stan Beardy. The four of them and myself stood in the media studio as they outlined their serious concern that this government has abrogated its responsibility to the First Nations of this province. Why? Because they did not consult with them at all before bringing in the harmonized sales tax, before signing two memoranda with the federal government. This provincial government signed two memoranda with the federal government without having even a single conversation with the First Nations of Ontario.

This is an infringement on their aboriginal and treaty rights, and there is no doubt about it. It is an infringement on their aboriginal and treaty rights. I am not the one who is making that accusation. In fact, First Nations, the chiefs and the grand chiefs, were here. They came here to tell this government that they have abrogated their responsibility and to warn this government, frankly, that they are not going to stand for this kind of disrespect any more, and I don't blame them one bit. This government likes to talk a good talk about a new relationship with First Nations, but when it comes to walking the walk, every single chief who was here—and there were many—told me that they feel the same way, and that is that this government has not been treating them with a respectful government-to-government dialogue. That is problematic and it's something this government needs to deal with.

We've been bringing all kinds of stories into this Legislature day after day. I have hundreds of them on my desk. I was hoping to read a couple of more into the record and I think I might just do that. I'm going to read this one because I think it's an important one. They're all important, though.

This is from Bev MacWilliams in Toronto, and she says this:

"Dear Premier,

"As a mid-sized company employing 50 plus employees, I would like to voice my displeasure with your government's idea of implementing the harmonized sales tax. During a time when it is hard enough to keep our businesses afloat and staff employed, why would you add another tax? Our company is in the service industry. Currently we charge GST on our product to our clients and no PST applies as it is a service. Your proposed tax would now add another 8% to the total package that we sell. I have three questions to ask you below:

"If you were one of the owners of the company, how would you deal with the additional 8% tax that you now

have to add in? Oh, and let's also remember that much of your business that has confirmed after July 2010 has bought a package that did not include the additional 8% tax that it was exempt from before."

She goes on to explain in detail exactly how bad this tax is going to be for her business.

Deputant after deputant came to the committee the other day and told this government, "Do not implement this tax." They came from small business, they came from seniors' organizations, the municipal retirees of Ontario, CARP, the Canadian Association of Retired Persons—all of these organizations came and spoke against the tax, as did real estate associations, individuals one after the other, single parents, senior citizens, small business owners.

The harmonized sales tax is the wrong thing for the province of Ontario, it's the wrong thing for the people of Ontario, and this government should simply not vote for it.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Wayne Arthurs: Thank you, Speaker. I'm cognizant of the clock, but I do want to make a few comments.

I first want to comment, if I can, very briefly on the process that we have undertaken, and it's not a process that we're unfamiliar with. We've had first reading, second reading, we have had committee hearings, and now we're having third reading debate.

I would suggest to this House that the choices the government had to make in the context of finishing its business were precipitated by the actions of the official opposition. The stunts, as they've referred to them, such as banging on your desk, walking out on question period, ringing bells interminably for hours, having their members ejected not for days but potentially until October 2011, were clear actions that left the government no choice but to time-allocate this bill in the interest of completing its work.

The official opposition presented to the Legislative Assembly, at noon hour on Monday, 500,000—

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order. Member take his seat. We don't have far to go, so just behave yourselves.

Mr. Garfield Dunlop: This is disgraceful.

The Deputy Speaker (Mr. Bruce Crozier): What did I just say? The member for Simcoe North, didn't I ask you to come to order? I would like you to do it for just a few minutes.

Member for Pickering-Scarborough East.

Mr. Wayne Arthurs: Some 500,000 amendments, and their desire was to have those amendments on a recorded vote. If we allowed two seconds for each amendment to be read into the record, let alone being voted on, a rough calculation would have taken us 24 hours a day for something like 10 days merely to read those amendments into the record. The opposition was filibustering and being obstructive.

I said, when I stood on second reading, when asked if members would stand and indicate whether or not they support the HST, or the value-added tax—I said it then, and I will say it now: This is the right thing to do for this province. It's the right thing to do in this country.

The federal government, as of last night, on second reading, by a vote of 246 to 36, approved second reading of this initiative. Federal members from parties across this country have signalled that this initiative is the right thing to do for Canadians, and we're doing the right thing for Ontarians.

With 50 seconds left, I want to reference a letter to Mr. Tim Hudak, the Leader of the Opposition, from the Ontario Chamber of Commerce, dated October 21. The Ontario Chamber of Commerce said:

"As you are well aware, the Ontario Chamber of Commerce has been a strong proponent of a harmonized sales tax—as an integral part of a larger, comprehensive tax reform strategy—for a number of years.

"Since 2004, our chamber network of 160 local chambers of commerce and boards of trade, representing some 60,000 businesses of all sizes from all areas of the economy, have strongly endorsed this comprehensive tax reform."

This speaks to small business in the province of Ontario, and it's what we should be doing. We're doing the right—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Pursuant to the order of the House dated December 1, 2009, I am now required to put the question.

Mr. Duncan has moved third reading of Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1003 to 1008.

The Deputy Speaker (Mr. Bruce Crozier): All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Bradley, James J.
Broten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight

Flynn, Kevin Daniel
Fonseca, Peter
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip
Kwinter, Monte
Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit
Matthews, Deborah
Mauro, Bill
McNeely, Phil
Meilleur, Madeleine
Milloy, John
Mitchell, Carol

Moridi, Reza
Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qaadri, Shafiq
Ramsay, David
Rinaldi, Lou
Sandals, Liz
Sergio, Mario
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
DiNovo, Cheri
Dunlop, Garfield
Hampton, Howard
Hardeman, Ernie
Horwath, Andrea

Hudak, Tim
Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John

Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Sterling, Norman W.
Tabuns, Peter
Wilson, Jim
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 56; the nays are 29.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Be it resolved that the bill do now pass and be named as in the motion.

Third reading agreed to.

ONTARIO LABOUR MOBILITY ACT, 2009 LOI ONTARIENNE DE 2009 SUR LA MOBILITÉ DE LA MAIN-D'OEUVRE

Ms. Smith, on behalf of Mr. Milloy, moved third reading of the following bill:

Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories /
Projet de loi 175, Loi visant à accroître la mobilité de la main-d'oeuvre entre l'Ontario et les autres provinces et les territoires du Canada.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated November 30, 2009, I am now required to put the question. Ms. Smith has moved third reading of Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1014 to 1019.

The Deputy Speaker (Mr. Bruce Crozier): All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia
Albanese, Laura
Arthurs, Wayne
Balkissoon, Bas
Bartolucci, Rick
Bentley, Christopher
Berardinetti, Lorenzo
Bradley, James J.

Flynn, Kevin Daniel
Fonseca, Peter
Gravelle, Michael
Hoskins, Eric
Jaczek, Helena
Jeffrey, Linda
Johnson, Rick
Kular, Kuldip

Naqvi, Yasir
Oraziotti, David
Pendergast, Leeanna
Phillips, Gerry
Qaadri, Shafiq
Ramsay, David
Rinaldi, Lou
Ruprecht, Tony

Brotten, Laurel C.
Brown, Michael A.
Cansfield, Donna H.
Caplan, David
Carroll, Aileen
Chan, Michael
Colle, Mike
Dickson, Joe
Dombrowsky, Leona
Duguid, Brad
Duncan, Dwight

Lalonde, Jean-Marc
Leal, Jeff
Levac, Dave
Mangat, Amrit
Matthews, Deborah
Mauro, Bill
McNeely, Phil
Meilleure, Madeleine
Milloy, John
Mitchell, Carol
Moridi, Reza

Sandals, Liz
Sergio, Mario
Smith, Monique
Sousa, Charles
Takhar, Harinder S.
Van Bommel, Maria
Watson, Jim
Wilkinson, John
Wynne, Kathleen O.
Zimmer, David

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

Nays

Arnott, Ted
Bailey, Robert
Barrett, Toby
Bisson, Gilles
Chudleigh, Ted
DiNovo, Cheri
Dunlop, Garfield
Hampton, Howard
Hardeman, Ernie
Horwath, Andrea

Hudak, Tim
Jones, Sylvia
Klees, Frank
MacLeod, Lisa
Marchese, Rosario
Martiniuk, Gerry
Miller, Norm
Miller, Paul
Munro, Julia
O'Toole, John

Prue, Michael
Runciman, Robert W.
Savoline, Joyce
Shurman, Peter
Tabuns, Peter
Wilson, Jim
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 56; the nays are 28.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Third reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): This House is recessed until 10:30 of the clock.

The House recessed from 1022 to 1030.

INTRODUCTION OF VISITORS

Mr. Rick Johnson: I have two guests; one has arrived so far. Mr. Paul Martin and M.J. Perry are in for meetings with me today, so I'd like to welcome them.

Hon. Kathleen O. Wynne: I'd like to introduce page Robyn Lin's aunt, who will be in the gallery today. Her name is Anne Chun. Welcome.

Mr. John O'Toole: Mr. Speaker, I'd like to introduce your brother and your mother and welcome them here today.

The Speaker (Hon. Steve Peters): I can trump that after.

Hon. Peter Fonseca: I'd like to introduce the students of T.L. Kennedy school, who are with us here today.

The Speaker (Hon. Steve Peters): I think you should point out that T.L. Kennedy's grandson is sitting here. He's the member from Halton.

Hon. John Wilkinson: I ask all members to welcome both Len Crispino from the Ontario Chamber of Commerce and Karen Renkema from the Ontario Road Builders' Association, who are visiting us in the Legislature today.

Hon. Deborah Matthews: I know that all members of the Legislature will join me in a very warm welcome to the members of the Salvation Army who are joining us here.

Mr. Yasir Naqvi: I just want to echo the Minister of Health's comments and actually name the members who are here from the Salvation Army. Please welcome Captain Brenda Murray, Captain John Murray, Colonel Floyd Tidd, Colonel Lee Graves and Colonel Ray Molton. Welcome to Queen's Park.

The Speaker (Hon. Steve Peters): On behalf of the member from Niagara Falls and page Alana Fansolato, we'd like to welcome her father, Wayne, to the members' gallery today.

Seated in the Speaker's gallery, I'd like to welcome my mother, Joan Peters, my brother, Joe, and a family friend from St. Thomas, Carole Watson. Welcome all.

Mr. Frank Klees: On behalf of the Progressive Conservative caucus, I too want to welcome the members of the Salvation Army here and to also express our appreciation for the good work that the Salvation Army does throughout the year but especially at this time of year through the kettle drive. We encourage people across the province to support the kettle drive this year.

COMMITTEE WITNESSES

The Speaker (Hon. Steve Peters): On Thursday, November 19, the member for Oshawa raised a point of order with respect to the authority of the Standing Committee on Public Accounts to summon witnesses. To the extent that his point of order touched on specific proceedings of the Standing Committee on Public Accounts, I will say that it is not the place of the Speaker to become involved.

The committee, like every committee of the House, has the ability to regulate its own affairs. Where it needs the guidance or intervention of the House, or when there is a problem it cannot solve itself, the proper course is for the committee to make a report to the House setting out the matter at issue in the committee. This not having occurred, I can only assume that within the scope of its authority, the committee has been successfully dealing with its own affairs to the satisfaction of its members.

To answer the member's direct and specific question, though, I can confirm that committees do have the authority to summon witnesses of their choosing. Standing order 110(b) states that "except when the House otherwise orders, each committee shall have the power to send for persons, papers and things."

This is a power delegated from the House which retains the authority to compel attendance or production. There are therefore some practical and contextual limitations on a committee's authority, but in general, committees may invite any witness they consider to be in a position to offer testimony that will be helpful to the committee in its inquiries.

I thank the honourable member for his point of order.

VOTING

The Speaker (Hon. Steve Peters): On December 2, 2009, the member for Carleton–Mississippi Mills, Mr. Sterling, rose on a point of order concerning his inability to vote from his assigned seat during recorded divisions held on December 1. The House will recall that the member had not been able to vote from his assigned seat because a named member had refused to withdraw from the chamber on November 30. That member, along with another named member, had been suspended from the service of the House for the remainder of the session when the Sergeant-at-Arms indicated that force was necessary to compel obedience. However, those suspended members were still in the chamber on December 1, and one of them was occupying the seat assigned to the member for Carleton–Mississippi Mills during a recorded division on the motion for second reading of Bill 175 and during other divisions that morning.

Members will recall that in the immediate aftermath of the first division, I responded to points of order and points of privilege on what had happened. Later, in response to the concerns that certain members of the official opposition would be unable to vote from their assigned seats because the suspended members were occupying them, I indicated to the member for Carleton–Mississippi Mills that he could assume the unoccupied seat of another member. I made similar accommodation with respect to the member from Simcoe–Grey, Mr. Wilson, whose seat was being occupied by another suspended member.

The member for Carleton–Mississippi Mills now asks why I ignored standing orders 20 and 28 in making this accommodation. Standing order 20 requires members to “remain in their places and refrain from interrupting the Speaker” in certain situations and to not interrupt the member who has floor. Standing order 28 deals with the procedure for taking divisions; in particular, standing order 28(a) states it requires “five members standing in their places” to force a division after a voice vote, and standing order 28(c) states that a member wishing to vote “shall rise and record his or her vote.”

Let me say first that neither standing order 20 nor standing order 28 specifically indicate that a member wishing to vote in a division must do so from an assigned seat, and so I did not ignore any standing order when I acted as I did. Nevertheless, as members well know, it is our settled practice that members wishing to vote in a division do so from their assigned seats. Speakers of this House have long upheld the practice that members must vote from their assigned places in the chamber, and so have I. In point of fact, though, seating assignments of all members in the assembly are ultimately made by the Speaker. In practice, of course, the Speaker assigns blocks of seats, then generally acquiesces in the recommendations of the various recognized parties on their seating wishes for their individual members. But as I said, ultimately it is the Speaker’s decision, as demonstrated by the fact that the Speaker takes full responsibility for assigning the seats of any independent members. That being the case, when I indicated that the member from

Carleton–Mississippi Mills could vote from another seat, I was in effect assigning him that seat, if only temporarily.

Additionally, though, one has to look at the issue in the context of the nature and the extent of the disorder that erupted last Monday. It cannot but have been apparent to any observer in the chamber at the time of the naming of the member of Bruce–Grey–Owen Sound that he was acting in concert with a plan understood by his caucus and participated in by the caucus as a collective. Indeed, the member for Carleton–Mississippi Mills is one of several members who put themselves between the named member and the Sergeant-at-Arms, preventing the removal of the named member from the Legislative chamber.

As business carried on and the House entered into a recorded vote on second reading of Bill 175, the member for Carleton–Mississippi Mills was seated in a place other than his assigned seat. The member did not at that point complain either that he wished to vote but he might not be able to occupy because another member was in his seat or that the member occupying the seat refused to leave when asked to do so. The confusion that ensued and the basis of the complaint now made by the member for Carleton–Mississippi Mills was, to a significant extent, by his own making, and as I said at the time, “you cannot contrive a breach of your own privileges.”

1040

In a subsequent vote, however, the member for Carleton–Mississippi Mills and the member for Simcoe–Grey were again both prevented from being in their seats because they were occupied by two previously named members. At this time, the members did draw the situation to my attention before the roll call commenced. It was at this point that I made the accommodation I referred to previously.

I regret that my approach inconvenienced the members who sought to vote in their regular seats, but I hope they can appreciate that shortly after the consequences of mischief being perpetrated by the suspended members became clear to everyone in the House, I was able to ensure members wishing to vote were able to do so. I stand by my approach in dealing with the issue.

In looking into how other Speakers have handled challenging situations in this chamber, I came across Speaker Stockwell’s ruling at page 538 of the Journals for April 6, 1997. This is what Speaker Stockwell said:

“I believe that a modern definition of Speaker requires that decisions are taken which are also in the best interests of the institution of Parliament. On occasion, in particular when faced with extraordinary circumstances, Speakers may have to intervene in a way which seeks to enable the parliamentary process to accomplish the business at hand....

“In this House, Speaker Warner, quoting Speaker Fraser, said on May 27, 1991, that the Speaker does have a latitude to act in exceptional instances.”

I agree with Speaker Stockwell’s statement. The statement was made in 1997 in the course of the longest

voting process in the history of this assembly. A few months later, the House adopted standing order changes that strengthened the hand of the Speaker and of the House in dealing with disorder and progress of assembly business. Those changes appear to have been informed by a desire by the House to ensure that disorder does not trump the democratic rights of members.

I've already provided my thoughts to the House on the events of last week, and I will repeat one part of those comments: "Respect is a mutual obligation. There are boundaries to which members must also adhere and standards of conduct that must be upheld. This is not about the Chair's discretion or the opinion of an individual Speaker. It is about failing to show due deference to this institution and the traditions of civil debate; it is about failing to show due deference to the privileges of fellow members of this Parliament, including members from all parties; and importantly, it's about failing to display an image of parliamentary conduct that the public would rightly regard as appropriate."

In closing, I thank the member for Carleton-Mississippi Mills for raising his point of order. His concerns do not raise a matter of order, but they have given me the opportunity to reflect on the events of last week and how such events might be dealt with in the future.

Mr. Norman W. Sterling: On a point of order, Mr. Speaker: When this particular matter took place, I declared very clearly to you and to the table—in fact, the table called my name and recognized my vote and then withdrew my right to vote when I was seated at another bench. Your ruling today has indicated that you do have the power to recognize my vote, but you chose not to.

I refer you to sections 87, 49, and 18 of the Constitution Act of our country. The Constitution guarantees me the right to vote in this Legislature, and you and the Legislature have denied me that opportunity. I call into question the passing of that motion on Bill 175 and the subsequent process that has taken place with regard to Bill 175.

Mr. Speaker, you leave me no other alternative but to seek legal counsel on this particular matter to determine whether Bill 175 has legally passed this legislative process. I have been denied and my constituents have been denied my vote in this place on that particular bill, when I clearly expressed to you and to the clerks' table that I wanted to vote on behalf of my constituents.

I would add that the member for Simcoe-Grey, Mr. Wilson, also wanted to vote on that occasion and was denied the opportunity. As well, there were about 10 or 12 other members of my caucus who were standing in their place at that time and wanted to vote on that particular motion. They were denied that opportunity, as you ignored them standing in their place and voting.

In my view, all of these members, including myself and the member for Simcoe-Grey, were denied the right to represent their constituents as guaranteed in the Constitution Act of Canada. The standing orders don't matter with regard to those particular rights. The Legislative Assembly Act does not matter with regard to those rights.

It is the Constitution of our country which guarantees members of our Parliament, the House of Commons and each Legislature the right to represent their people in their Legislature or the House of Commons. Mr. Speaker, you do not have the right, nor do the standing orders have the right, nor does the Legislative Assembly have the right, to deny that.

The Speaker (Hon. Steve Peters): I want to thank the honourable member for his point of privilege and his comments. If the honourable member believes that he has been denied his constitutional right, I would encourage him to pursue the course that he has indicated to the House that he is going to choose to do.

WEARING OF MITTENS

Hon. Monique M. Smith: And now for something completely different: I believe we have unanimous consent for all members to wear Olympic mittens in the House this morning to show support for the Olympic and Paralympic Winter Games in Vancouver in 2010. We're very excited to be welcoming the torch this Friday in Hawkesbury.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

I would seek the co-operation of our broadcast services to take a wide-angle view, and I'd ask all members to stand up and give a wave in support of our Olympic athletes. Wave to any one of the cameras. I'm sure they're helping us. Go, Canada, go.

Interjections: Go, Canada.

The Speaker (Hon. Steve Peters): I thank the honourable members for their participation. I would just like to take this opportunity to thank the member from Glengarry-Prescott-Russell, Jean-Marc Lalonde. Unfortunately we couldn't participate in another adventure that Mr. Lalonde would have liked to do. I didn't realize that in 1988 he actually stole the Olympic flame and—

Interjections: Borrowed, borrowed.

The Speaker (Hon. Steve Peters): Pardon me, borrowed the Olympic flame. The Canadian Olympic committee caught wind of that and remembered that from 21 years ago. They were very concerned that the honourable member may try and borrow the flame again.

I would just say as well that because of the inclement weather, we are going to take a photograph on the grand staircase. As well, the Olympic torch is going to be here at the Legislature on December 18 at 6 a.m. Any members who are around, please come and wish our athletes all the best.

The member of Glengarry-Prescott-Russell on a point of order.

Mr. Jean-Marc Lalonde: I would just like to say that the flame will be arriving at the eastern gateway to Ontario, in Hawkesbury, on Friday at 11 o'clock.

Applause.

The Speaker (Hon. Steve Peters): The member from Nepean on a point of order.

Ms. Lisa MacLeod: I'm very proud to say the flame will be arriving in the nation's capital, the city of Ottawa,

at 10:16 on Saturday morning, and I'll be there with hopefully all of the Ottawa members.

Oh, no clapping for Ottawa?

Applause.

1050

ORAL QUESTIONS

ONTARIO ECONOMY

Mr. Tim Hudak: A question for the Acting Premier: After six years in office, Dalton McGuinty's government has grown arrogant and increasingly out of touch with Ontario's hard-working families. Let's take a look at the economic record as this session comes to a close: \$65 billion in new debt; a record deficit, which means we're spending \$2 million more every hour than we take in in revenue, even including your greedy HST tax grab; bond companies have lowered our credit rating; and a net loss of 100,000 jobs in one year alone.

Minister, did you think Ontario families wouldn't notice? Why do you think you can get away with this dismal performance?

Hon. Dwight Duncan: I think Ontarians recognize that the world has gone through a tremendous dislocation and downturn in the last year. Whether you're looking at the United States, whether you're looking at Great Britain, whether you're looking at our sister provinces, there has been an enormous upheaval; there has been a devastating loss of jobs in many communities. That's why this government moved forward with a plan to create 600,000 jobs. That's why we took the steps we have taken over the course of the last year.

It is our view and it is the view of many economists that growth will be slow over the next year but that we will be back to growth, and that makes it still more important for all of us in government and opposition to say what they would do to help get Ontario through this terribly difficult time. We're going to continue to work with Ontario families and communities to create jobs and—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Tim Hudak: The minister knows full well that your economic performance is the worst in Canada and you've turned Ontario into a have-not province, receiving welfare payments from the federal government for the first time in our history. Minister, do you really think you can get away with this?

Hon. Dwight Duncan: We, as a province, are putting in place the steps to help us get through this extremely difficult time in Ontario's history—indeed, in North America's history. I see yesterday that the American government announced the need for still more stimulus.

There is no question that this has been a downturn unlike anything we've seen since the Great Depression. Far too many people have lost their jobs; far too many

families are struggling. This government has chosen a path and laid out a plan to create some 600,000 jobs. There is more work to do. Ontario, in our view, is the best province in the greatest country in the world. We are coming through this. We're laying out a plan to help get through it, and when we are, this province will be bigger, it will be better and it will be stronger.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: I'm proud of our province, Minister, but you have laid our province low. You have cost us 300,000 well-paying manufacturing jobs, and you abandoned northern Ontario years ago. Did you really think Ontario families would not notice? What makes you think you can get away with this performance?

Hon. Dwight Duncan: I think Ontarians see through that phony rhetoric. I think they know that we have seen an enormous upheaval in the world economy. I think they understand. If you look at the notes in the budget, you'll see how we have done relative to comparable jurisdictions. There is no question that far too many people have lost their jobs, not just in Ontario but around North America. This party and Premier McGuinty have laid out a plan.

That member and his party are about stunts, they're about rhetoric, they're about disorder in the House—no plan, no future. And when they do talk about things, they imply cutting benefits for injured workers, they imply closing schools, they imply taking money from municipalities, just like they did from 1995 till they lost office in 2003.

We have a plan. It's about jobs—

The Speaker (Hon. Steve Peters): Thank you. New question?

GOVERNMENT'S RECORD

Mr. Tim Hudak: Back to the Deputy Premier: After six years in office, the rot of mismanagement and abuse has set in deep right across Dalton McGuinty's government. What have we seen since the summer of scandal? A billion-dollar eHealth boondoggle that saw Liberal-friendly consultants get rich and Ontario families get ripped off. We saw another billion dollars in wasted funds from welfare abuse, fraud and overpayments. We saw sweetheart deals for Liberal friends and insiders like Jason Grier, Karli Farrow, Don Guy and your favourite, the Courtyard Group. And whenever they got in trouble, they blamed the bureaucrats and threw Liberal friends a lifeline.

I ask the minister: Do you not think Ontario families notice? What makes you think you can get away with this?

Hon. Dwight Duncan: Well, as we wrap up this session, we've laid out a plan to create 600,000 jobs. They've done nothing. Tax cuts for all Ontario families will come into place on January 1. That member and his party voted against it.

Premier McGuinty, through dint of effort, brought the Pan Am Games to Toronto. Student achievement legis-

lation, putting students first, has been brought forward by my colleague the Minister of Education. HealthForceOntario is expanding the scope of practice of pharmacists and others. These are important moves forward. My colleague the Minister of the Environment is in Copenhagen today. We've brought forward cap-and-trade legislation.

The only thing I remember from that party this session is a couple of renegade members seizing control of the once great Conservative Party of Ontario.

This is a record of achievement, one we will stand on and one that the people of Ontario—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Tim Hudak: Do you know what, Minister? We don't believe you, and Ontario families don't believe you anymore. You said sole-sourced contracts would stop, but they didn't. You had one rule for Liberal friends and one rule for everyone else. Minister, do you really think you can get away with this?

Hon. Dwight Duncan: It is important for all members of this Legislature and all the parties to say what they would do to help those Ontarians who have lost their jobs, to help communities come through this downturn, to help create new jobs and new investment. It's not enough to occupy desks in the Legislature and force the closure of debate. It's not enough to rant and rave and not even attend committee sessions when you're supposed to.

This government has laid out a plan. It is a challenging plan, but I am confident, and the Premier is confident. Ontarians always rise to the challenge, and when we get through this, because of our plans, and more importantly, because of the hard work of Ontarians, we will have a more competitive economy, more jobs, better incomes, better health care and better education. That's what this government and that's what this party are about.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: No wonder this has been called Canada's worst government. We have seen a culture of entitlement set in deep right across that government, ministry by ministry. Ontario families see a government, too distracted by scandal after scandal, that has lost sight of the basics, a government more interested in securing sweetheart deals for its Liberal friends than fighting for hard-working Ontario families across this province.

I ask the minister: Can taxpayers reach any other conclusion than that this is a government that is out of gas, out of ideas and dramatically out of touch with hard-working Ontario families?

Hon. Dwight Duncan: You know, the Leader of the Opposition likes to quote—

Interjections.

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: The Leader of the Opposition likes to quote a journalist who also believes in privatized health care. Is that your view as well? He likes to quote a journalist who believes in privatizing education. Is that your agenda? He likes to quote an economist who doesn't believe global warming is real. Is that your agenda as

well? The Leader of the Opposition has no plan. He has no idea where to take this province.

Premier McGuinty has laid out a plan, a principle-based plan, that will improve incomes, improve job growth and help rebuild this province as we come out of the worst global downturn in many years. Premier McGuinty has laid out the plan. Mr. Hudak and his renegade band who seized the Legislature offer no ideas, no hope, no future. They're about the past. They're about privatization of health care and education. We fundamentally disagree with them, and I believe—

The Speaker (Hon. Steve Peters): Thank you. New question.

1100

TAXATION

Ms. Andrea Horwath: My question is to the Acting Premier. Over the past month, the McGuinty Liberals have arrogantly used their majority to silence the voices of people in Windsor, Kenora, Kingston, London, Moose Factory and Fort Erie. This morning, the McGuinty Liberals rammed through their 8% sales tax on gasoline and home heating.

My question is this: Why did the McGuinty Liberals ignore Ontarians, the vast majority of whom are against this tax?

Hon. Dwight Duncan: In the nine months since this government brought forward the HST legislation, we have had more than 40 hours of debate in this chamber. We have had committee hearings on the bill. In fact, the opposition parties couldn't even fill all their slots in that committee. We have conducted hundreds of public sessions and hundreds of other meetings. Indeed, we've made significant changes to the policy as a result of representations from a whole variety of groups. The housing industry is one, and I think probably the largest example of that.

This is what is most important: to create jobs in Ontario, some 600,000 jobs. This party, this government, is about creating jobs. It's about building a better future. We reject the status quo. We reject the NDP's "just pretend that nothing's wrong." We're taking steps to build a brighter future for Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: What's wrong is a government that doesn't listen to the people who put them here. That's what is wrong. The McGuinty Liberals have pulled out all the stops to muzzle the concerns of Ontario families. I think everybody around this chamber would agree.

In a desperate effort to ram this unfair tax scheme through the Legislature, this government refused public hearings in Thunder Bay, London, Sudbury, Windsor and elsewhere. This government limited debate and pulled stunts in committee.

The question is this: Is ruthless arrogance what Ontario families should expect from their government over the next two years?

Hon. Dwight Duncan: Mr. Speaker, she's wrong, and the leader of the third party just doesn't get it.

We have had hearings across this province—meetings, public sessions, question and answers, media sessions. The fact that she's here today asking questions is another indication that indeed this government is available, it's accountable and it is present.

I noticed that the president of the Ontario Chamber of Commerce was here today, and a number of other supporters. Why are you ignoring those 60,000 small businesses? Why are you ignoring Hugh Mackenzie? Why won't you listen to your own economist, who has advised you clearly and unequivocally about the benefits of this policy? Why are you voting against low-income Ontarians who are looking for a hand up, who need our assistance in these difficult times? Why are you ignoring the unemployed, I say to the leader of the third party? Why are you ignoring unemployed forest workers? Why are you ignoring the manufacturing sector? No plan, no future—

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: As I said in my remarks earlier today, the Ontario Real Estate Association, chiefs of all of the First Nations of this province, hundreds of thousands of people across the province who have signed our petition—these are the people we are listening to. Unlike the Liberals and the Conservatives in Ottawa, New Democrats are on the side of the people in the real world, where an 8% tax on gas and home heating makes life less affordable, where making daily basics more expensive during a deep recession is actually a bad idea, and where a new 8% tax dampens consumer confidence and kills jobs. That's the real world. That's who we're listening to.

Across the country, in fact, politicians are backing away from this unfair scheme. Has the government grown so arrogant that they are ready to ignore three quarters of the population, who are saying no to the HST?

Hon. Dwight Duncan: You know, there was a time when the NDP stood on principle; now it's "Never Done Pandering." You know what? We have had all kinds of deputations in support of this from prominent New Democrats, whether you're talking about Buzz Hargrove or Hugh Mackenzie or Jim Stanford or others. Their own Fair Tax Commission recommended this policy.

Sir, these are difficult times and these are challenging decisions. Governments have to stand up for jobs. This party is standing up for the unemployed auto worker in Windsor; it's standing up for the unemployed forestry worker in Thunder Bay; it is standing up for the unemployed person in eastern Ontario. It's about jobs; it's about better incomes and a brighter future.

This government, this party, has a plan. That leader and her party have no plan. We're strong and we're going to be stronger when we're through all of this.

TAXATION

Ms. Andrea Horwath: My next question is also to the Acting Premier. In July 2008 the Acting Premier said,

"We all share an important responsibility to conserve energy, which is why our government is helping people make choices that will benefit their health and the environment while saving people money." But under his unfair tax scheme, the sales tax exemption on energy-efficient appliances and bicycles will end. Why is this government making life more expensive for people who choose to do the environmentally responsible thing?

Hon. Dwight Duncan: The leader of the third party and her party really shouldn't be talking about energy conservation. They voted against removing the price cap, against the advice of your environment critic, who was very passionate about that before he got here. They voted against smart meters and putting them into Ontario homes. You voted against that. You stood against that. They continue to not want to deal with the challenging problems ahead.

This tax plan that we've put forward will not only increase investment in energy efficiency; it will help the overall economy produce jobs. The member voted against the Green Energy Act.

This week, the Premier is selling more than \$200 million worth of contracts in India with our green technology, to help those countries. This province has led the way in energy conservation in spite of her objections and we will continue to do that, creating jobs in the process.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: I guess the finance minister forgot to read the Environmental Commissioner's report yesterday, which was a scathing condemnation of your lack of action on greenhouse gas emissions in this province.

More affordable green appliances and bicycles are not the silver bullet, for sure, in the fight against climate change, but they absolutely help. The Acting Premier is not the only one on record in support of these exemptions. The Premier, in fact, mused that he might make the exemptions permanent. He said, "We should ... as a society, begin to say that these are the kinds of things we want to encourage you to buy on an ongoing basis, and they would always be the subject of preferential treatment when it comes to taxes."

My question is this: Has the Acting Premier spent a little too much time around Mr. Flaherty to forget about the importance of actual action on climate change?

Hon. Dwight Duncan: The tax package we put together will encourage investment in new technologies. It will encourage investment in a variety of fields. The Green Energy Act will not only encourage investments; it will create jobs overall.

Ontario is a leader. The Premier received yet another award, the other evening, from the solar power industry on behalf of this government.

I say to the member opposite that indeed difficult decisions have to be made to create jobs and to spur the growth in the green industries. We have taken those steps. We're moving forward on a variety of fronts, and I don't believe that any government has a better record on the green economy than this one. Our Green Energy Act

will create investment, create jobs, and make this a better place to live for all Ontarians.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The arrogance of this government is absolutely breathtaking. The Premier promises to make it easier to make environmental choices and then he quietly raises the taxes back up again. It's the same story we've seen all week: stifling debate, shutting down hearings and ignoring the public. Has this government grown so arrogant that they think they can fool the people who sent them here?

Hon. Dwight Duncan: I was pleased earlier this fall when Canadian Solar moved its headquarters to Kitchener, where it currently makes solar modules at plants in China—it moved them here. Why? Because of Ontario's commitment to green energy. By the way, that is 500 new direct jobs in Ontario. You voted against the act that would make that happen.

There are, no doubt, going to be difficult choices ahead as we come out of this downturn in the economy. No one should underestimate this government's commitment to green energy. That member and her party voted against the Green Energy Act. They spoke against our historic transit investments. They don't like our cap-and-trade legislation. While I admit there's much to do, this government, the McGuinty government, is committed to taking those steps to make this a better and healthier place to live.

1110

TAXATION

Mr. Tim Hudak: Back to the Acting Premier: After six years, the arrogant Dalton McGuinty government would rather listen to elite insiders and Liberal friends than hard-working Ontario families who live outside the Queen's Park bubble. Let's look at their record when it comes to this HST tax grab. During the campaign, you said you wouldn't increase taxes, but now you bring in a massive sales tax grab. It is a greedy tax hike on everything from gas for your car, heat for your home, and everyday services. They held no consultations outside of Toronto with Ontario families unless they first made a contribution to a Liberal riding association, and now you want to lock us into a bad deal until 2015, with a \$4.3-billion poison pill to get out of it.

I ask the minister: With your greedy HST tax grab, do you really think that you're going to get away with it?

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. The member from Davenport. The member from Renfrew.

Minister?

Hon. Dwight Duncan: When Len Crispino, the chair of the Ontario Chamber of Commerce, said, "It's a very bold step ... it's smart for the time ... because it's going to take the shackles off business," we agreed with him. I wouldn't insult the intelligence of people who support

this initiative, because there are many of them. When Michael Oliphant of the Daily Bread Food Bank said, "The sales tax credit is a sensible, forward-looking way to deal with the single sales tax, and could become an important long-term piece of the economic security puzzle for the poor people in the future," we agreed with him. When Gail Nyberg of the Daily Bread Food Bank said the same thing, we agreed with her.

This is no doubt a contentious issue. We have had the opportunity to hear from hundreds of Ontarians. We're moving forward with a plan to create jobs and to make this province bigger, better and stronger in the future.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Now, Minister Gerretsen is saying that you're looking at toll roads, too. Well, Minister, Ontario families have noticed. They're not going to let you get away with this performance. They see a tired, arrogant, out-of-touch Dalton McGuinty government that cares more about Liberal insiders than hard-working Ontario families. And they know that you're ramming through this greedy HST tax grab to fuel more of your billion-dollar boondoggles and shower your Liberal friends.

Ontario families are tired of paying more to get less and they're tired of your greedy tax grab adding more to the burden. You're not going to get away with this. Ontario families are seeing through it. They know they cannot afford this government, and they want to see change that starts at the top.

Hon. Dwight Duncan: You know, I think Ontarians are actually looking for some clarity from the Leader of the Opposition. I'd just like to take him through a few quotes that have occurred over the last few months. This is a quote: "To be clear, I believe that there's little sense in allowing two separate governments to apply two separate sets of taxes and policies and collect two separate groups of sales tax." That was Tim Hudak on April 23 of this year. Then listen to this: "There's no doubt that some—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Minister?

Hon. Dwight Duncan: Here's another quote: "There's no doubt that some businesses, particularly the manufacturing side, will be happy because you take away the tax on business inputs like machinery and such, and obviously we want to see our business sector succeed." That's Tim Hudak.

Another quote: "No one can argue with wanting a more simplified tax process. I think we all support that." That's Frank Klees. And then, "I think, in theory, our party is supportive of harmonization."

Hon. Gerry Phillips: Who was that?

Hon. Dwight Duncan: Bob Runciman. That party flips, flops and has no plan and no future. This party is about jobs—

The Speaker (Hon. Steve Peters): Thank you. New question.

DRIVER EXAMINATION CENTRES

Mr. Peter Tabuns: The question is for the Minister of Transportation. As of February 23, 2010, the government will be in a position to extend the DriveTest contract with Serco for two years and give notice that it can enter into negotiations for another 10-year contract. Contracting out driver testing to Serco has been a disaster from day one and has led directly to the labour conflict that has inconvenienced hundreds of thousands of Ontarians. Will the minister stand and make a commitment that there will be no renewal and no extension of the contract with Serco?

Hon. James J. Bradley: I don't think the member, as a member of the New Democratic Party, would want me to say anything at this point in time that would interfere in the collective bargaining process, because I know the great reverence that the NDP has for the collective bargaining process, despite the fact that when in power, the New Democratic Party government tore up every public sector collective agreement in the province and forced significant changes upon labour and employees in the province at that time. But I know that today the New Democratic Party would not want me to say anything in the House that would jeopardize the collective bargaining process.

When the Conservative government established Serco and privatized that portion of the Ministry of Transportation, they believed, probably, that they were doing the right thing.

I will be interested in your supplementary.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: Well, I have to say that the minister is very good at putting red herrings on the table.

When we talked about the 407 toll road, he said "Oh, can't do anything. The contract is signed for 99 years, ironclad. I can't do anything to protect the people of Ontario." Well, he has the option now. In February of this coming year, he will be able to make sure that there's no extension and no renewal. Is he actually going to take on that company and restore public ownership of driver testing in this province?

Hon. James J. Bradley: As the member would be aware—because I know he has researched this thoroughly—the contract extends from 2003 to 2013. To abrogate the contract in the middle of the contract would cost the taxpayers of Ontario millions upon millions of dollars. I know that rather than have those go to legal fees, you would want to ensure that it would go to appropriate programs to assist the people of Ontario.

This government was not responsible—some of the people interjecting are responsible—for establishing this particular contract. Our ministry and our government evaluates all contracts that are there. We evaluate how they're operating, and we make a decision at the appropriate time, taking into consideration all of the factors that are brought to our attention by anybody and everybody in the province.

GREEN POWER GENERATION

Ms. Leeanna Pendergast: My question is for the Minister of Energy and Infrastructure. Recently, Canadian Solar Inc., a Kitchener-based solar module developer, announced that it's planning to establish a 200-megawatt module manufacturing facility in Ontario. As we already heard from the Minister of Finance, the new facility is expected to create 500 new direct manufacturing jobs in Ontario, and this is tremendously important for my community and my riding.

On Friday, I'm meeting with Mr. Shawn Qu, the president and CEO of Canadian Solar Inc., who's here this week from China along with Mr. Milfred Hammerbacher, the president of Canadian Solar Solutions, which is the subsidiary of Canadian Solar Inc. It's going to be my pleasure to pass on the answer to this question: Minister, what are we doing to encourage business investment in Ontario? More importantly, what are we doing to retain these businesses?

Hon. Gerry Phillips: This question relates to an earlier one. I just say to the member from Kitchener-Conestoga and to the public that our Green Energy Act is unique in North America. It's regarded as leading-edge in terms of attracting new, renewable, clean energy. We are going to see a very substantial number of new solar, wind and hydro projects. That's going to be good for the environment, but a by-product will be a manufacturing business in Ontario that can supply that green energy. So you should be saying to your visitors, "Welcome to Ontario."

1120

Our Green Energy Act, with a very good what we call feed-in tariff—in other words, a guaranteed price for solar—is the sort of leading-edge legislation that will attract and keep an industry like the solar company that you're going to be seeing here in Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Leeanna Pendergast: These investments truly are reassuring. They indicate that our plan to create a green economy and green jobs is working. This is good news for my constituents of Kitchener-Conestoga.

A number of people in my riding have expressed interest in the feed-in tariff program, especially around small wind and solar projects. Minister, I understand the application process for the feed-in tariff program opened in October. When will applicants hear if their projects have received a green light? This information will be helpful to me when I meet with Mr. Qu and Mr. Hammerbacher of Canadian Solar on Friday.

Minister, could you tell me please, how soon will these projects begin?

Hon. Gerry Phillips: Many members of the Legislature are probably quite interested in this, including my colleague from Toronto-Danforth. The first group of them—it closed on November 30. An organization called the Ontario Power Authority has responsibility for evaluating these and determining which ones are shovel-ready and whatnot.

I just say to all of us that the response was very good, I think better than most expected. I must say the Ontario Power Authority is reviewing these now. It is, I think, their hope that sometime next week they will be able to give us, the public, an update on the response and an indication to all of us when those projects will be heading into the ground. The Green Energy Act is leading-edge. This will be good—

The Speaker (Hon. Steve Peters): Thank you. New question.

TRANSPORTATION INFRASTRUCTURE

Mr. Frank Klees: My question is to the Minister of Transportation. The Auditor General's report raised serious concerns about the ministry's ability to inspect our bridge infrastructure. On April 6 of this year, the minister was made aware in a meeting of serious safety concerns related to the deteriorating condition of a series of culverts underneath the TransCanada Highway just west of the city of Sudbury. On April 15, a letter signed by Gerard Mulhern, professional engineer, was delivered to the minister in follow-up to that meeting, urging the minister to engage an independent, professional engineer to visually inspect these culverts.

The letter clearly states: "Most of the culverts are at risk of immediate structural failure. This would subsequently result in a deadly failure of the pavement overhead."

To date, the minister has not responded to the letter. Will the minister agree today to order an independent investigation of these culverts?

Hon. James J. Bradley: I want to tell the member that the Ministry of Transportation does those kinds of inspections which he has described at this time. I also met with the people the member met with, and that's most appropriate as a critic in the field of transportation, and for me as minister. These people I met with were from the cement association. They believe that concrete should be used in all of these, and that's the business they happen to be in. They truly believe, in their heart of hearts, that the proposals they have are most beneficial. If you had talked to the people who are in the steel industry, who make steel culverts, they would make the case that what they provide is most appropriate. However, in answer to the member's question, we are always prepared to look carefully at all of these structures to ensure that indeed they meet the safety requirements of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Frank Klees: I am so surprised at the minister's response. This is not about lobbying for concrete or steel. It's about lobbying for safety.

A teenager died in the city of Greater Sudbury in May 2006 after she drove her car into a crater created after a steel culvert collapsed. An engineering report into the failure of that culvert by an independent consultant identified many of the same problems that currently exist with Highway 17 culverts that are being brought to the minister's attention.

I ask the minister this question: In light of these safety concerns, and if the question is simply to order an independent investigation of those culverts to ensure their integrity, why does the minister not agree to order that independent investigation and ensure the safety of motorists on that TransCanada Highway?

Hon. James J. Bradley: First of all, I hope the—and he wasn't, I'm sure. The member was mischaracterizing my response as a lobbying effort. I simply wanted to point out that the people I had met with were the same people he did, and they're people from the concrete association who genuinely believe in their heart of hearts that their product is better than those who would be in the steel industry, who believe that their product is better.

We engaged a structural engineering expert to perform an independent assessment of the ministry's bridge inspections, standards and practices, you'll notice from the auditor's report. I know, having been a Minister of Transportation, the member would have faith in the fact that members of the Ministry of Transportation are always concerned first and foremost about safety and are, on an ongoing basis, conducting appropriate inspections without necessarily having independent people there, but we don't object—

The Speaker (Hon. Steve Peters): Thank you. New question?

GOVERNMENT APPOINTMENTS

Mr. Paul Miller: My question is to the Minister of Tourism. Why has the minister quietly reappointed seven directors to the Niagara Parks Commission when the government-appointed KPMG review called for sweeping changes to the membership of that commission?

Hon. Monique M. Smith: I want to thank the member for his question. Yes, we did—I wouldn't say that we quietly reappointed—reappoint a number of commissioners for a one-year term in order to give us the flexibility to review the recommendations that were made in the report that we commissioned and we requested. We've given these people an opportunity to remain on the board for a year so we have the flexibility to look at the recommendations and see how we implement those recommendations around governance and board composition.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: The KPMG report found an unusually high number of allegations of conflict of interest at the Niagara Parks Commission. It said the commissioners are treated "as if they are royalty" by employees and that "certain commissioners" have become involved in employee-related matters "which were clearly outside of their role." The public has lost confidence in the Niagara Parks Commission.

Will this minister immediately rescind these appointments and start a public process for appointing new board members to the Niagara Parks Commission?

Hon. Monique M. Smith: The ministry requested these two documents that the member is referring to and

this was in line with recommendations that were made by the Integrity Commissioner.

The reports noted that the agency's procurement policies and leasing practises are generally consistent with best practices. The ministry has provided the Niagara Parks Commission with the relevant findings and recommendations and we're working through with them how we can implement those findings and recommendations. Of course, the recommendations around governance and board structure are far-reaching and we want to look at them seriously. That's why we've given ourselves the opportunity, with the one-year appointments—these members are normally appointed for three years. We've appointed them for one year so that we have the time to implement the recommendations. We didn't want the Niagara Parks Commission to not be able to function with too few members on the board, so therefore it was important that we do these reappointments at this time as we look toward the future and improving the governance at the Niagara Parks Commission.

LANGUAGE TRAINING

Mr. Reza Moridi: This week communities across Ontario are celebrating ESL Week. Language training has helped individuals integrate better into schools, colleges, universities, businesses and everyday living. Whether it is providing a better medium to learn or providing folks with the language skills they require to better express health concerns to their family doctors, language training is a must. Students and adults should be able to focus on the future without any barriers holding them back. This includes language.

1130

On behalf of students, teachers and families across Ontario for whom language training plays such an important role, I ask the Minister of Citizenship and Immigration this: Will you ensure that newcomers to Ontario get all the support they require to be more proficient in English or French?

Hon. Michael Chan: I want to thank the honourable member from Richmond Hill for the question, and he's right: This week is ESL Week. As well, this week is a time to celebrate and also a time to say thank you to certain sector groups. I want to say thank you to the school boards, instructors and ESL students across Ontario for their participation in ESL training. Better language skills will lead to better communication, better learning, better education and better living in general for newcomers.

Our government understands that students and adult learners need support in order to succeed. We need to ensure that they have all the right tools to move forward. We know that when these students grow, their families grow. And when Ontario families grow, Ontario will grow.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Reza Moridi: According to an editorial online at yorkregion.com, "study after study of new Canadians [indicates] that their level of success is directly propor-

tional to their command of the English language." Language remains a barrier in the lives of these immigrants. Apparently, York region has seen a 50% increase since 2001 in the number of residents who speak neither English nor French. The editorial calls for immediate action. Ordering food or paying their bills, many are facing barriers in their day-to-day lives.

I agree that the time for action is now. What will the minister do to ensure that the circumstances of these individuals take a turn in the right direction?

Hon. Michael Chan: Newcomers come from every corner of the world—from about 200 countries—and many of them do not speak English or French. This is why our government invested \$64 million this year in adult language training. This is about a 34% increase in funding since 2003. This investment supports more than 100,000 individuals to learn English or French, and 39 different school boards provide this important training in more than 300 different locations across the province.

We know that language training puts newcomers on the path to becoming more engaged in the social, political and economic life of Ontario. We are here to support newcomers, and we are here to help newcomers realize their goals.

TAXI OPERATORS

Mrs. Joyce Savoline: My question is to the Minister of Municipal Affairs and Housing.

On December 13, 2007, the city of Toronto passed a bylaw that would allow taxi cabs that drop a fare at the Toronto airport to also pick up passengers from the airport without any additional fee or penalty. Before the ink was even dry on this bylaw, the McGuinty Liberals arbitrarily changed the regulations without any consultation. This is becoming a trend in this House. This means taxi drivers wishing to pick up passengers at Toronto Pearson airport after dropping off a fare have to pay a \$10 fee. Taxi drivers are losing \$100 to \$200 weekly, but the same penalties were not imposed on limo drivers.

I ask the minister, is he going to reverse his decision that penalizes taxi drivers and create a level playing field?

Hon. Jim Watson: This question was asked in the House by the NDP several weeks ago, and I have the same answer I had delivered at that point. This is exactly maintaining the status quo that was in effect when her party sat on this side of the House. Nothing has changed.

What we're trying to do is to ensure that consumers have the right to have a cab or a sedan service at Toronto's international airport. So the matter has not changed. We did intervene. We took away the authority from the city of Toronto to do what it wanted to do because we wanted to maintain the status quo that would be fair to both cab owners and limousine owners in the greater Toronto area.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Joyce Savoline: There's nothing fair about the status quo. Taxi drivers get penalized \$10 a fare just to pick up a fare at the airport. Limo drivers get taxed

nothing to pick up a fare in Toronto and go back to the airport. When the minister was questioned, he said it makes "common sense" to implement these regulations because of environmental and consumer choice reasons.

What is so distasteful to me was that these decisions were made without any consultation. Is it because limousine drivers contribute hundreds of thousands of dollars to the McGuinty Liberal Party coffers?

I ask the minister: Will he make the right decision today by agreeing to reverse the changes to the City of Toronto Act, or will he continue to be unfair and penalize taxi drivers?

Hon. Jim Watson: It's a little rich hearing from the Conservative Party about lack of consultation with the municipal sector. Where was the consultation with the forced amalgamations imposed by the Conservative Party? Where was the consultation when all the down-loading took place?

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. Minister?

Hon. Jim Watson: There was absolutely no consultation and no respect shown to the municipal sector by the previous government.

Just a quick constitutional lesson for the honourable member for Burlington: The responsibility for the licensing of limousines is done by the federal government, because airports are a federal responsibility. I'd ask the honourable member: If she'd like a briefing on municipal affairs and housing matters, please come over to 777 Bay. We'd be delighted to bring her up to speed on both the Constitution and responsibility—

The Speaker (Hon. Steve Peters): New question.

HYDRO RATES

Ms. Andrea Horwath: My question is to the Acting Premier. Northern Ontario has a jobs crisis. The latest blow to the region: news that 700 good-paying jobs will be lost when Xstrata closes its Timmins copper and zinc smelting operation. To add insult to injury, the operations will be transferred to Quebec.

There is only one reason that these operations are moving to Quebec: affordable hydro. When will the McGuinty government finally listen to industry, to labour and to northern Ontario mayors and confront the high hydro rates that are driving jobs out of the north?

Hon. Dwight Duncan: To the Minister of Energy and Infrastructure.

Hon. Gerry Phillips: Just for the public and maybe for members of the Legislature, in terms of electricity prices for industry over the last five years, it has essentially been unchanged. That is a fact for industry. We are very competitive with our neighbours to the south.

We will always have a challenge in dealing with Quebec. Quebec is able to use long-established hydro-electric power that does give them somewhat of a competitive edge. What is the province of Ontario doing? As I say, for the last five years, industrial rates—all in,

everything in—essentially have stayed the same. Our electricity has, as I say, held relatively constant for that period of time.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The loss of 700 good-paying jobs is devastating news to a community that has already seen numerous job losses. Government doesn't seem to even—it doesn't faze them, the kind of devastation that this job loss means for that community. And the tragedy of it all is that it could have been prevented if this government had heeded the words and the call of New Democrats, of labour, of Ontario's northern mayors and from industry itself. Everybody knows that the Association of Major Power Consumers in Ontario has been calling on this government to deal with the high hydro rates.

We need an affordable hydro rate for energy-intensive employers in this province. It's the bottom line. How many more jobs like the ones at Xstrata are going to have to leave Ontario before this government takes some action and makes sure those jobs are kept here instead of shipped out to Quebec?

1140

Hon. Gerry Phillips: I am obviously extremely concerned about the decision they made. But again, I would say to the member that prices over the last five years are unchanged, and we are working hand-in-glove with major industry, investing in energy-efficient processes for them. And Xstrata had that opportunity as well.

I would just say—and I actually read Mr. Hampton's book where he said, "I'm against special rates for industry." I actually read the book. I kind of actually took him at his word in his book, but I think he's changed his mind now.

Again, I would say that electricity rates are unchanged over five years. All of us regret very much the decision Xstrata has made, but we will continue to work with our industries to find ways to help them conserve electricity. The Ontario Power Authority is working hand-in-glove with our—

The Speaker (Hon. Steve Peters): Thank you. New question.

FOREST INDUSTRY

Mr. David Ramsay: I have a question for the Minister of Northern Development, Mines and Forestry in regards to the forestry sector. As the minister knows well, we've been really struggling in northern Ontario with the forest industry: 260 of our towns are very directly dependent upon this industry for our livelihood, yet many people in my riding of Timiskaming-Cochrane, and in towns right across northern Ontario, far too often have heard of mills closing down, both sawmills and pulp mills. This industry is worth \$19 billion to this economy and it's very important for the province of Ontario. I'd like to ask the minister what he's been doing to help our struggling forest industry.

Hon. Michael Gravelle: I want to thank the member for all the hard work that he's done and the great advice that he's provided me, certainly being raised in Thunder Bay and representing that community since 1995.

I'm acutely aware of the vital role that forestry plays in northern Ontario. That's one of the reasons why we're so excited that a couple of weeks ago, we announced the launch of a provincial wood supply competition—11 million cubic metres of wood being put up for competition. Basically, we recognize that this is our opportunity to put Ontario's wood to work, and we are taking bold steps to create jobs. Ultimately, we'll generate well for Ontario by moving forward in this process. By putting our wood to work as quickly as possible, I think this competition will absolutely help to make that move forward.

We're doing this in tandem with our review of the forest tenure and pricing system as well. We felt we couldn't wait to have the results of that. But again, I appreciate the support the northern caucus gave me to move forward with the wood competition process.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. David Ramsay: Thank you Minister. We very much appreciate you informing the House on this initiative. The competition is going to be creating opportunities for companies in northern Ontario and right across this province. In our forest sector, this is going to help with innovation and, I think, drive some new investment.

My constituents want to see this unused wood put to work so that we can put our families to work and our workers to work in our communities. I would have some questions on how we can make this eligible to new entrants into the industry so that we can see new products being manufactured and forestry start to transition into this century.

I'd like to ask specifically, Minister, how the eligibility requirements would be laid out.

Hon. Michael Gravelle: I appreciate the question. Certainly, we are looking to support new and innovative ventures to stimulate Ontario's economy, and we're going to build an industry of top performers. That includes existing and new performers. In fact, my colleague from Timmins—James Bay actually described this as a step in the right direction, and we appreciate that. We need to diversify; we need to build an industry of top performers so that Ontario's forest sector is better positioned, as well, to weather future economic storms.

This policy could include existing forest companies in Ontario with innovative proposals as well as new entrants. The crown wood for this competition is comprised of 7.7 million cubic metres of merchantable wood, or roundwood, and 3.3 million cubic metres of unmerchantable wood. It's a lot of wood, and that, of course, includes tops, branches and undersized wood as well.

We're committed to maintaining and growing an economically viable and environmentally sustainable forest industry. We're very excited—

The Speaker (Hon. Steve Peters): Thank you. New question.

HERITAGE CONSERVATION

Mr. Ted Arnott: My question is for the Minister of Culture. Development proposals are now under way for a large-scale, multi-tower redevelopment project in Yorkville, just north of here. I'm informed that these new towers will appear twice as tall as the Legislative Assembly, depending on the vantage point.

Does the minister believe that the province of Ontario has an interest in preserving the landscape, context and appreciation of our Legislative Assembly building here at Queen's Park?

Hon. M. Aileen Carroll: Thank you for your question. Indeed we value highly Queen's Park. It is a very important heritage landmark in the province, as it symbolizes our parliamentary democracy. I know I speak for all members here at Queen's Park when I say that the home of our government since 1893 is a treasured and respected heritage resource in the province. Anyone who comes here is immediately struck by that.

A heritage plan, which is executed by the Legislative Assembly of Ontario, protects the site. You can see much of the restoration that is taking place. We indeed value our heritage, we have strength in our Heritage Act, and we are committed to preserving heritage inventory in the province.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Arnott: I want to quote from a recent letter from the Honourable Lincoln Alexander, chairman of the Ontario Heritage Trust, one of the minister's own agencies: "Queen's Park is Ontario's most significant heritage landmark—the very symbol of our province. Conserving the landscape, context and appreciation of Queen's Park is undoubtedly an issue of provincial interest."

He's right. If the minister agrees, I wonder, why hasn't she done as Lincoln Alexander has recommended? Why hasn't she used her powers under the Ontario Heritage Act to list the Legislative Assembly buildings "as property of cultural heritage value or interest"? What is the minister doing to protect this treasured institution, and will she support the three-point plan Lincoln Alexander has outlined?

Hon. M. Aileen Carroll: I value highly the Ontario Heritage Trust, and I have nothing against the chair but indeed value very highly his role and his wisdom on many matters.

On the issue of protecting the visionary dimensions of a cultural site, there are a variety of views in the community among heritage experts as to how far or if at all one should commence in dealing with that dimension. Since the matter that I believe the member is referring to will be very soon in front of or is currently before the Ontario Municipal Board, I would not want to go too much further in that regard.

SKILLS TRAINING

Mr. Howard Hampton: My question is for the Minister of Training, Colleges and Universities. The McGuinty Liberals continue to devastate the economy of

northern Ontario. In community after community, thousands of jobs are being destroyed, and people desperately need access to job retraining and skills development help. But the McGuinty Liberals, instead of helping the unemployed, are tightening the criteria on retraining programs like Second Career and making it more difficult for laid-off workers to access job retraining.

My question: Why are the McGuinty Liberals once again abandoning the workers of northwestern Ontario?

Hon. John Milloy: Nothing could be further from the truth. I remind the honourable member that in June 2008 we introduced the Second Career program and made a commitment to help 20,000 individuals over three years. The honourable member and his party voted against that program and stood here in the Legislature and mocked it on a daily basis.

Last September we reached, in only 17 months, 21,000 Ontarians who had benefited because of Second Career. And because of the leadership of the Premier and the Minister of Finance, we made a decision that we would continue the program, and recently announced more funding to allow 8,000 more Ontarians to access training.

As we speak, Employment Ontario offices are working with those who are interested in retraining, and we hope to welcome thousands more—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Howard Hampton: The minister leaves the most important part out of the history: As of November 20, the McGuinty Liberals set new evaluation and eligibility criteria for Second Career and Ontario's skills development programs. In the 10 months previous to November 20, under the former criteria, the Northern Community Development Services in northwestern Ontario assisted 130 people in accessing skills development and job retraining. Now, under the more restrictive criteria introduced on November 20, only 12 of those 130 individuals would qualify for job retraining and skills development: nearly 120 out of 130 laid-off workers abandoned by the McGuinty Liberals.

My question: What are unemployed workers supposed to do when the need is greater than ever and you're cutting the very programs they need?

Hon. John Milloy: I know that the honourable member would never want to leave the impression in this Legislature that Second Career is the only program or service which is available to unemployed Ontarians.

Through Employment Ontario, we help 900,000 people every year in the province of Ontario. We made the decision to continue Second Career. We continued to accept applications on a limited basis. We brought out criteria recently which will allow 8,000 people to access training. The criteria are focused on those who would benefit from it the most. Other Ontarians who are also looking for employment services through Employment Ontario will have access to the support that they need to move on to a new career.

I am proud of our government's record in this regard. And the nerve, after they mocked Second Career—

The Speaker (Hon. Steve Peters): Thank you.

The member for Northumberland—Quinte West.

VISITORS

Mr. Lou Rinaldi: Thank you for allowing me a couple of minutes. I want to introduce to the House a couple of people who just arrived after four hours of treacherous driving. I would like to introduce Zac Andrus, and his parents, Carla and Brian. The Andrus family is from Port Hope, in my riding of Northumberland—Quinte West.

I had the great pleasure recently to be part of the grand opening of a new, accessible playground in Port Hope: Zac's Dream playground. This remarkable young man had a dream that began as simply wanting an accessible swing in his neighbourhood park. Zac brought this idea to the local council and parks and recreation.

After listening to Zac's idea, they were so impressed they decided to take it a step further and build a fully accessible playground. To put it together, Zac's team came together. They raised over \$130,000.

DEFERRED VOTES

CONCURRENCE IN SUPPLY

The Speaker (Hon. Steve Peters): We have deferred votes on government orders 31 to 41, inclusive.

Call in the members. This is a five-minute bell.

The division bells rang from 1153 to 1158.

The Speaker (Hon. Steve Peters): Mr. Duguid has moved concurrence in supply for the Ministry of Economic Development. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia	Duncan, Dwight	Naqvi, Yasir
Albanese, Laura	Flynn, Kevin Daniel	Oraziotti, David
Arthurs, Wayne	Fonseca, Peter	Pendergast, Leeanna
Bartolucci, Rick	Gravelle, Michael	Phillips, Gerry
Bentley, Christopher	Hoskins, Eric	Ramal, Khalil
Berardinetti, Lorenzo	Jaczek, Helena	Ramsay, David
Best, Margaret	Johnson, Rick	Rinaldi, Lou
Bradley, James J.	Kwinter, Monte	Ruprecht, Tony
Broten, Laurel C.	Leal, Jeff	Sandals, Liz
Cansfield, Donna H.	Levac, Dave	Sergio, Mario
Caplan, David	Mangat, Amrit	Smith, Monique
Carroll, Aileen	Matthews, Deborah	Sousa, Charles
Chan, Michael	Mauro, Bill	Takhar, Harinder S.
Colle, Mike	McMeekin, Ted	Van Bommel, Maria
Crozier, Bruce	McNeely, Phil	Watson, Jim
Dickson, Joe	Milloy, John	Wilkinson, John
Dombrowsky, Leona	Mitchell, Carol	Wynne, Kathleen O.
Duguid, Brad	Moridi, Reza	Zimmer, David

The Speaker (Hon. Steve Peters): Opposed?

Nays

Arnott, Ted	Jones, Sylvia	Prue, Michael
Bailey, Robert	MacLeod, Lisa	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Savoline, Joyce
Chudleigh, Ted	Martiniuk, Gerry	Shuman, Peter
DiNovo, Cheri	Miller, Norm	Sterling, Norman W.
Elliott, Christine	Miller, Paul	Tabuns, Peter
Hampton, Howard	Munro, Julia	Wilson, Jim
Hardeman, Ernie	O'Toole, John	Witmer, Elizabeth
Hudak, Tim	Ouellette, Jerry J.	Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 54; the nays are 27.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Motion agreed to.

VISITOR

Mr. Gilles Bisson: Point of order: With your indulgence, Speaker, I'd like to introduce Ruth Grier, former member from Etobicoke-Lakeshore.

The Speaker (Hon. Steve Peters): Welcome back to the Legislature.

CONCURRENCE IN SUPPLY

The Speaker (Hon. Steve Peters): Mr. Duguid has moved concurrence in supply for the Ministry of Energy and Infrastructure. All those in favour will rise one at a time and be recorded by the Clerk.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Finance.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Research and Innovation.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Municipal Affairs and Housing.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Health and Long-Term Care, including supplementaries.

Interjections: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Small Business and Consumer Services.

Interjection: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Community and Social Services.

Interjection: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Labour.

Interjection: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Tourism.

Interjection: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Aboriginal Affairs.

Interjection: Same vote.

The Speaker (Hon. Steve Peters): Agreed? Agreed. I declare the motion carried.

Motions agreed to.

There being no further business, this House stands recessed until 3 p.m. I would remind the members to join us on the staircase for the photograph with our red mittens.

The House recessed from 1204 to 1500.

INTRODUCTION OF VISITORS

Mr. Khalil Ramal: It's with great pleasure and honour that I introduce Her Excellency the Ambassador of Morocco, Nouzha Chekrouni; Mohamed Meskaoui, Minister Counsellor; and Mohamed Ait Bihi and Alami Mustapha.

The Speaker (Hon. Steve Peters): Welcome.

MEMBERS' STATEMENTS

MATTHEW MORISON

Mr. John O'Toole: It's my pleasure to welcome people, but also to wish and extend a Merry Christmas, Happy New Year and Happy Hanukkah to all the people, including my constituents in Durham.

My statement is as follows: I would like to pay tribute to one of my constituents, Matthew Morison, a Canadian Olympian competing in the men's parallel giant slalom this winter in the Olympics.

Matt is the son of Cathy and Paul Morison. With his older brother, Chance, he grew up riding horses and dirt bikes at his hobby farm near Burketon, Ontario. The family was among the first to take up snowboarding at the club I belong to, the Oshawa Ski Club. By the time Matt was 11, he was already beating senior men in races at the ski club.

In his first year on the World Cup circuit, Matt reached the podium three times, and won the parallel giant slalom event at the World Junior Championships. In the last three seasons, he has placed in the top 10 overall in World Cup standings for parallel giant slalom.

Matt Morison is an outstanding Ontarian and an outstanding Olympian, and I know that all of Durham riding will be cheering for Matt this February at the Olympics. Go, Matt, go.

KETTLEBY FAIR

Ms. Helena Jaczek: The Kettleby Fair, which took place this fall in my riding of Oak Ridges–Markham, is one of our well-known autumn traditions. Kettleby is a historic rural settlement, established as a mill town in the 1840s. Today the flour mill is gone, and Kettleby remains a tiny hamlet of only 130 residents, nestled between two valleys of the looping Kettleby Creek.

The township of King supports the celebration with financial assistance, and local residents manage it as volunteers.

It is my pleasure to congratulate the master of ceremonies, Don Fenn, and all the energetic volunteers, such as Gary Vogan, Elaine Kitteridge, Andrea Loeppky and Joanne Duclos—I only have time to name a few—who created a truly green event by using environmentally friendly materials.

We enjoyed all-day entertainment, including interactive children's entertainers, strolling jugglers, clowns, morris folk dancers and easy-listening singers.

The Kettleby Fair attracted young and old. It encouraged local professional photographers, singers and guitarists to demonstrate their skills and talents. Producers of honey, ciders, chutneys, baked goods and handmade crafts treated the guests to delicious locally grown food and offered unusual souvenirs.

I purchased a number of perennial plants for my garden and am already looking forward to attending this celebration next year.

SEASON'S GREETINGS

Mr. Jerry J. Ouellette: 'Twas just weeks before Christmas and all through the House,

The members were scurrying for the rise of the House.

And the pages all stood firm in their place,
guarding and watching our ominous mace.

Now the Speaker just stood for a quieting therein,
calling "Order! Order!" as he said with no grin,

"I know all are restless, with shouting and posturing about,

but it's order we'll have or I'll toss you straight out."

Then the members, they seated and they listened with care,

in hopes an agreement soon would be there.

Now the sergeant is seated with sword at his side,
maintaining the order that he does with such pride.

And Hansard, yes, Hansard, and the words that they know,

for who has said what, with the occasional show.

The Clerk being seated and advising the Chair,
reviewing petitions and order questions with care.

Then the House, it did rise, and the members went home,

leaving the Speaker just standing and being alone.

But it's the House, yes, the House, or the chamber you see

that influences generations, many yet to be.

Then the doors, they are closed, and the lights put on dim,

awaiting a time once again, when all shall begin.

The Speaker (Hon. Steve Peters): I know the Speaker shouldn't interject, but that was great.

The member for Scarborough Southwest.

MOHIBUL ISLAM
AND SHAMIMA JESMIN

Mr. Lorenzo Berardinetti: Thank you, Mr. Speaker. And following that nice rhyme, I'm wondering if you're going to allow singing in the future for statements—just to put the Speaker on notice.

On December 1, I was honoured to be invited to the launch of the inaugural art exhibit at the Scarborough Civic Centre main rotunda. This exhibition depicts the work of Mohibul Islam and Shamima Jesmin of the Bengali Nandonik Fine Arts and Crafts Centre. The Nandonik centre was founded by Mohibul Islam in 2002. It's a non-profit cultural community organization that is dedicated to teaching art and painting to children. Some of the themes these children have worked on include international human rights, mothers, children and the global community at large. The centre recently completed a two-week group children's art exhibition at the Toronto Civic Centre art gallery. The word "Nandonik" is an aesthetic Bengali word that means "a flowery garden."

Both husband and wife are fine arts graduates of the University of Dhaka in Bangladesh. They have participated in major exhibitions in Uppsala and Stockholm, Sweden and other locations such as India, Bangladesh, Holland and the USA. They have received several awards for their work, including the Japan Prize, the Seoul art prize, the Indian Young Artist Poster Award, and many other awards as well.

In our community and, indeed, in this country, we are enriched by the contributions and work of this couple. They are indeed an asset and have added to the tapestry of art enthusiasts and the community in general. Please join me in congratulating and recognizing the contributions of Shamima Jesmin and Mohibul Islam to the arts.

ASSISTANCE TO FARMERS

Mr. Ernie Hardeman: I'm pleased to rise today to recognize the Grain Farmers of Ontario and the grain and oilseed safety net committee, who will be here tomorrow morning at Queen's Park. I know that the Grain Farmers of Ontario have had a very busy year, and I want to congratulate them on everything that they have accomplished to raise the awareness of the new organization and the needs of their farmers.

Many of the agricultural organizations have come together to deliver the message to government that CAIS, now called AgriStability, isn't working for farmers. Grain and oilseeds need a permanent risk management program that they can count on, and it must be expanded to other sectors.

The breakfast tomorrow morning is an informal opportunity to meet and talk with grain and oilseed producers, to celebrate the season and to get an update on what government can do to help them be competitive. The safety net committee has been working with Quebec producers and they will be updating us on their progress with the risk management programs.

Ontario grains and oilseeds represent more than 25,000 farm families across the province who grow corn, soybeans, wheat, canola and edible beans. Their labour and innovation bring in nearly \$3 billion in food and biofuel product per year and over \$10 billion per year in spin-off industries.

I want to wish all of the members of the House a merry Christmas and all the best over the holidays. And I hope that before you head home for the holidays, you will join us for breakfast tomorrow morning and support our grain and oilseed producers.

TIBET

Ms. Cheri DiNovo: I rise on behalf of the 4,000 or so Tibetans who live in my riding, Tibetans who are refugees for the most part; whose relatives have been imprisoned; whose monasteries have been destroyed; whose monks and nuns have been torched; and who came here looking for freedom, accountability and democracy. Many of them will be on the front lawn this evening in a vigil for their estranged families still back in Tibet—many of them unknown in terms of whether they're dead or alive.

They've made a simple request of this government, of Minister Chan and MPP Tony Ruprecht: that they can have a flag-raising ceremony here. Not necessarily today—today we recognize that it's too late—but at some point in the near future. They have not received a response.

The Ontario Parliamentary Friends of Tibet, Students for a Free Tibet, as well as the Canadian Tibetan Association of Ontario have all requested simply what other nationalities and other groups have already received: to have a flag-raising ceremony at the front of Queen's Park to recognize their own community and their own community's trials, tribulations and triumphs. That's all that they've asked. So I ask it on their behalf here in the House.

I hope that Minister Chan is listening. I hope that Tony Ruprecht is listening. I hope that the Liberal Party is listening. In fact, I hope Dalton McGuinty is listening all the way from India, because for the Tibetans, this would mean so much. It truly would be, then, a merry Christmas for them.

1510

INFRASTRUCTURE PROGRAM FUNDING

Mr. Jean-Marc Lalonde: Last week, I was delighted to participate in two official sod-turnings for an extremely valuable project in my riding.

The Paul-Émile Lévesque Community Centre is undergoing an expansion, thanks to joint federal-provincial funding, to improve this valuable hub of activity in the village of Casselman. Through the Recreational Infrastructure Canada Ontario program, called RINC, the McGuinty government has contributed \$306,000 for this expansion.

Furthermore, I had the pleasure of attending a sod-turning for the Forest Park sewage collection system, in the Nation municipality. Through the Building Canada Fund, the Ontario government is contributing \$978,000 toward the construction of this vital infrastructure project. I would like to offer my thanks and congratulations to the Forest Park Residents Association, who worked tirelessly on the proposal for this worthwhile project.

These two projects are examples of all levels of government being committed to stimulating the Ontario economy by reducing red tape, creating jobs for Ontarians and getting shovels in the ground sooner.

THRESHOLD SCHOOL OF BUILDING

Ms. Sophia Aggelonitis: Last month, I had the opportunity to visit the Threshold School of Building in Hamilton. A registered non-profit charity since 2001, the Threshold School of Building teaches skills development to youth in Hamilton whose personal circumstances have created barriers to their employment. For this reason, the Threshold School of Building is a key player in Hamilton's fight against poverty.

The school provides a six-week Ready to Work program, exposing its participants to a number of construction trades. From plumbing and electrical to carpentry and drywall, participants in Ready to Work are given hands-on experience while learning employment and life skills.

I'd like to take this opportunity to thank Patrick O'Neill, the chair of the development committee; Phillip Bender, the chair of the board; Jeff Wingard, the vice-chair of the board; and John Grant, the executive director, for their outstanding work. They have been instrumental in the success of the Threshold School of Building.

There is no question that this school changes the lives of all those who pass through its door. I know that it will continue to have a positive and a productive impact on many Hamiltonians, giving them new skills, a fresh start and renewed hope.

GENERAL MOTORS OF CANADA

Mr. Joe Dickson: I rise in the House today to share some additional good news from Durham region. As you may remember, our government caucus chair, Carol Mitchell, let us know in the Legislature that GM announced that the all-new 2011 Buick Regal will be built in Oshawa. Mr. Ouellette has also mentioned this. In my riding of Ajax-Pickering, there are over 1,000 General Motors employees. This good news will put a portion of Durham's 6,000 GM workers back in the plant in early 2011.

This week, GM announced a 75% increase in production for the first quarter of 2010. This could not have been possible without the McGuinty government investing \$3.52 billion in GM, combined with federal money for a total of \$10.6 billion.

Twelve months ago, I was getting phone calls from GM workers asking what our government was going to do to help them amidst the global recession and the horrendous news about GM's finances. I told them that our government would be there for them.

Oshawa city council and the CAW, in concert with General Motors, have all pulled together. On different occasions, popular Mayor John Gray passed his thanks, through me, to Premier McGuinty for showing the way as the first non-national jurisdiction to stand behind the workers, the union and the company. That took intestinal fortitude.

That's great news for Ontario.

VISITORS

The Speaker (Hon. Steve Peters): I want to take this opportunity, on behalf of the member from Burlington and page Christopher Dabner, to welcome his mother, Katie Dabner; his brother Geoffrey Dabner; and his grandmother Nancy Hood, who has travelled from Tennessee to be here today. Welcome to Queen's Park.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Michael Prue: I beg leave to present a report from the Standing Committee on Regulations and Private Bills and move its adoption.

The Clerk-at-the-Table (Ms. Tonia Grannum): Your committee recommends that Bill 132, An Act to amend the Liquor Licence Act, be not reported.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed? Agreed.

Report adopted.

INTRODUCTION OF BILLS

PENSION BENEFITS AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE

Mr. Duncan moved first reading of the following bill:
Bill 236, An Act to amend the Pension Benefits Act /
Projet de loi 236, Loi modifiant la Loi sur les régimes de
retraite.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement.

Hon. Dwight Duncan: Ministerial statements.

SUSTAINABLE WATER AND WASTE WATER SYSTEMS IMPROVEMENT AND MAINTENANCE ACT, 2009 LOI DE 2009 SUR LA VIABILITÉ ET L'AMÉLIORATION DES RÉSEAUX D'APPROVISIONNEMENT EN EAU ET D'EAUX USÉES

Mr. Caplan moved first reading of the following bill:

Bill 237, An Act to sustain and encourage improvement in Ontario's water and waste water services and to establish the Ontario Water Board / Projet de loi 237, Loi visant à assurer la viabilité des services d'approvisionnement en eau et des services relatifs aux eaux usées de l'Ontario et à favoriser leur amélioration et créant la Commission des eaux de l'Ontario.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. David Caplan: Before a statement, just a very quick thank you to legislative counsel Danna Brown and her team for the help in putting the bill together, as well as Lori Janbazian in my office.

This bill will promote clean, safe drinking water, ensuring Ontario is strong, healthy and prosperous. The bill evolves from Justice O'Connor's recommendations from the Walkerton inquiry and from the recommendations of the water strategy expert panel's report.

This bill does a number of things. It ensures the public ownership of water and waste water systems. It promotes financial sustainability. It improves transparency in the provision of water and waste water services to the public. It mandates full metering, and it creates an independent economic regulator with the expertise and authority to administer the act.

The act brings into broad daylight the often hidden water and waste water services. Well-maintained and well-functioning water and waste water systems indeed underpin our very quality of life. This legislation will help Ontarians continue to enjoy high standards of public water services that are affordable and sustainable for generations to come.

STATEMENTS BY THE MINISTRY AND RESPONSES

PENSION PLANS RÉGIMES DE RETRAITE

Hon. Dwight Duncan: First of all, in the west gallery there are a number of officials from the Ministry of Finance who have put in close to two years of their lives

consulting and working on this bill, and they truly represent the very best in Ontario's public service. I welcome them today.

I am pleased today to introduce legislation to amend the Pension Benefits Act. This is the beginning of the next step in our government's plan to strengthen and modernize the employment pension system and address the needs of pensioners, plan members and sponsors.

Today, I am introducing the first of two bills dealing with pension retirement income over the next year.

Ontario, like the rest of Canada and the world, has faced the most severe economic recession since the 1930s. Pension plans and retirement incomes were not immune from this downturn. As businesses are affected, so are their pension plans. But more than that, families are worried about their futures after retirement, and retirees are worried about how they will continue to live within their current lifestyle.

1520

Over the course of the last year, pension retirement income issues have become increasingly a subject of public discussion. The pension retirement income concerns are not unique to Ontario but are top of mind across the country.

That is why this government and our Premier have called for a national summit on pensions and retirement income. This call has since been echoed by the Council of the Federation. This would provide an opportunity to discuss the challenges facing the Canadian retirement income system and the many options that have been presented to address them.

We are responding to the concerns of those most affected by the employment pension system with a package that represents the first real reform in more than 20 years. The Pension Benefits Amendment Act, 2009, would help pension plans adapt to economic changes while balancing the need for benefit security.

If passed, the Pension Benefits Amendment Act, 2009, will, first, extend the benefits of plan members affected by layoffs and eliminate partial windups. A partial windup occurs when an employer lays off, for whatever reasons, a significant number of its employees. Such action results in employees not being able to qualify for some pension benefits, and employers and plan sponsors having to function within a regulatory mess. Our changes mean more people will get more benefits in more circumstances.

Second, we are making it easier to restructure pension plans affected by corporate reorganizations so that pension plan coverage can continue for affected workers.

Third, we are increasing transparency and access to information for plan members and pensioners.

Fourth, we are enhancing regulatory oversight. We are protecting workers by giving the regulator more power to monitor at-risk pensions.

And fifth, we are improving plan administration and reducing compliance costs.

Clear rules and modernizing pension plan administration would enable plan sponsors and administrators to

operate more efficiently and effectively. Through these proposed reforms, we are helping employer sponsors and plan members deal with the challenges of an economy that is undergoing significant restructuring by updating and improving Ontario's employment pension system.

In the 2009 budget, our government committed to move forward with pension reform and introduce legislation in the fall. Today's announcement follows three years of consultations by the province and the Expert Commission on Pensions. Cette commission, brillamment présidée par M. Harry Arthurs, a effectué un examen indépendant de la Loi sur les régimes de retraite. It held 11 public hearings attended by more than 700 individuals, received 127 submissions and commissioned 17 research projects.

Our government is also dealing with issues not being addressed in the legislation. Par exemple, les ministres des Finances et des pensions des quatre coins du Canada se réuniront à Whitehorse ce mois-ci afin de discuter d'une étude ayant été commandée sur l'état du système de revenu de retraite.

There are many aspects of the retirement income system that work well, but we know there is room for improvement.

As well as calling for a national summit, we continue to work constructively with other governments across the country to build consensus on improvements to our retirement income system. We understand the complexity of the issues that need to be addressed. That is why we are proposing a balanced approach, one that is a multi-step process. The legislation being introduced today is only the beginning of the next step of this process.

Earlier this year, our government took significant steps to address some of the more pressing issues facing plan members and sponsors. These included measures to help protect jobs and families, and businesses that employ Ontarians. Today's package of much-needed changes to Ontario's pension legislation is the next step in our commitment to strengthen the pension system for Ontarians. I look forward to the discussion that this legislation will generate, and I appreciate the attention that I know all members will give it.

The Speaker (Hon. Steve Peters): Statements by ministries? Responses?

Mr. Norm Miller: I am pleased to have the opportunity to respond to the Minister of Finance's statement to do with pensions and the new bill that he has just introduced.

As this pension reform was being introduced, I did hear a member who thought it was something to do with MPP pensions, but I can assure him it has nothing to do with that. We will continue to have a retirement plan where we all just contribute towards it, as about 60% or 70% of the population does.

I would have to ask the question: What took the government so long? The McGuinty government received the report of the Expert Commission on Pensions entitled *A Fine Balance: Safe Pensions, Affordable Plans, Fair Rules* in November 2008, more than a year ago. The

report has 142 recommendations. The government has been saying all along, I think even before the fall session started, that they would have pension legislation. Here we are, almost at the last day of the fall session, and they're finally introducing a bill that obviously won't be debated in this session of the Legislature. I will note that Mr. Arthurs, who served as chair of the commission, begged the government to act quickly. In fact, that was one of his key recommendations. Yet, as I say, the government has waited to the very last day of the fall session to introduce this bill. Certainly, I will look forward to looking over the bill in detail to see what it has in it.

I note that just last week the member from Carleton-Mississippi Mills had a private member's bill—I think it was Bill 213—to do with Nortel pensioners, who may see their plan wound up in the not-too-distant future. So it has some immediacy to it. They have some concerns that are very time-sensitive. That was a very simple bill that would allow FSCO to have two choices instead of one. From what I understand right now, if that plan is wrapped up, annuities have to be created and that could very much hurt the value. With the low interest rate that we have at the present time, that could really negatively affect those Nortel pensioners and they could lose 30% to 50% of the value of their pensions. The member from Carleton-Mississippi Mills had a private member's bill that would allow for two choices: either an annuity, but also the option of moving the pension into a registered pension plan, with a later option to purchase an annuity so that they wouldn't lose the capital value of the plan. That was not the first choice the Nortel pensioners were looking for but it was something they were hoping might happen. I note that all the Liberal members in the Legislature voted against that private member's bill.

I also note that in the spring budget bill, despite the recommendation of Mr. Arthurs that if there were going to be monies forwarded to the pension benefit guarantee fund, those monies should be loaned, not granted, in the spring budget bill the Minister of Finance has given himself the authority to just write a cheque up to substantial amounts. That was directly against the advice of Mr. Arthurs in his report.

Of course, we saw today the HST bill get rammed through the Legislature. That has a real negative effect for the 70% of the people who don't have pensions and are trying to have RRSPs, because there will, as of July 1 next year, be an 8% additional tax on management fees for people trying to save.

This is what that means: Consider that a small investor has \$20,000 in mutual funds and contributes \$4,000 each year. Over a 20-year period, the HST means an additional \$4,000 in tax. So this investor will lose an entire year's worth of savings because the HST is being applied to the cost of managing the mutual fund. Investors pay it each and every year. What's ironic about that is, the more people save, the more tax they will pay. You are penalizing the very people who are trying to save for their retirement. As I say, that's some 60% to 70% of the population. Canada is unique in the world of value-added

taxes that that tax is being applied. I think it's something that needs to be fixed.

The Speaker (Hon. Steve Peters): The member from Hamilton East-Stoney Creek.

1530

Mr. Paul Miller: I'd like to start off by thanking the staff members who worked on this bill. Obviously, I haven't had time to read the bill. We just received it in detail, so I want to use this opportunity to talk about what the NDP will be looking for in terms of pension reform and the two packages that will be debated over the upcoming months.

First, with only 35% of Ontarians covered by an occupational pension plan, there's a clear need for expanded pension coverage for all working Ontarians. Ideally, the way this would be done would be to increase the benefit levels of the Canada Pension Plan. This would draw on existing economies of scale, risk-sharing and administrative efficiencies of the plan. The Ontario NDP joins with the federal NDP and the Canadian Labour Congress in their campaign for an expanded national, universal, pension plan in the form of enhanced CPP.

That said, the issue of expanding coverage is an urgent one. We in the Ontario NDP do not believe that the Harper government is going to move to expand coverage, and therefore we believe there is an important role to be played at the provincial level in greatly expanding workplace pension coverage.

Therefore, we in the Ontario NDP believe that Ontario should move ahead with other provinces and develop a provincial employment-based pension plan for all working Ontarians who presently lack occupational coverage.

Second, the NDP supports the Arthurs Commission recommendation for establishing an Ontario pension authority. We believe that pooling, administering, investing and disbursing stranded pensions would be an important role for this authority.

Third, the level of monthly pension plans eligible for protection by the pension benefits guarantee fund is completely inadequate. We believe that over time, the monthly guarantee covered by the PBGF should be increased to a maximum of \$2,500 to reflect the effect of inflation on the original maximum of \$1,000.

While the NDP agrees that the basis on which the levy will be paid by plan sponsors is a complex matter and that a phase-in period may be necessary, we are extremely disappointed that this key Arthurs recommendation is nowhere to be seen in the first package of pension reform in the legislation.

Fourthly, the NDP believes that existing grow-in rights that provide access to early retirement benefits for all qualifying single-employer pension plan members in the event of a full or partial plan windup should be extended to all such members who are involuntarily terminated. Qualifying members should continue to be those whose age and years of service add up to 55. This is yet another key Arthurs recommendation that the NDP strongly supports. We believe that it would increase equity and reduce the number of disputes about full or partial windups.

Finally, the NDP supports the Arthurs recommendation that all active plan members should be immediately vested for all accrued pension benefits. The NDP strongly supports the key Arthurs recommendation and believes the recommendation should be implemented immediately.

Those are our pension priorities. A first glance at this package suggests that most of these concerns have not been addressed. We are particularly disappointed that there is no movement on the pension benefits guarantee fund. This is critical, and we see nothing in the legislation to address that shortfall.

That said, the government has clearly responded to our concerns on vesting. They have done that. They have moved in that direction. They have moved on a couple of other points that were some of our concerns, and that's good news. However, the main one is still being un-addressed.

However, there is still considerable work to be done, and you will be hearing much more from the NDP on this issue of vital importance to Ontarians. But I'm glad that the government is moving slowly—very slowly—in the direction to help Ontarians.

PETITIONS

TAXATION

Mr. Norm Miller: I have several thousand petitions here, and I shall read them.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty promised Ontarians he would not raise their taxes and then broke that promise after getting elected; and

"Whereas Dalton McGuinty also said it would be 'silly' to raise taxes in a time of economic challenge; and

"Whereas Dalton McGuinty's new plan to blend the provincial sales tax with the GST into one harmonized tax, the 13% Dalton sales tax (DST), scheduled to take effect on July 1, 2010, represents one of the largest tax hikes in Ontario history, at a time when Ontarians are still feeling the effects of the recession; and

"Whereas the 13% DST will increase the cost of a long list of items not previously subject to the provincial sales tax, including electricity, cable, gas, transit fares, haircuts, newspapers and magazines, your morning cup of coffee—all things Ontarians depend on every day—making it even more difficult for families and seniors to make ends meet; and

"Whereas the 13% DST will also raise the cost of carpentry and plumbing services, heating and air-conditioning repairs, landscaping and snow-plowing, renovations and other professional services, meaning that home prices, condo fees and rents will go up and businesses will have a harder time paying the bills;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I'll give these thousands of petitions to Maggie.

ELECTRONIC HEALTH INFORMATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government squandered \$1 billion on contracts with Liberal-friendly consultants and excessive expense claims by eHealth executives and consultants; and

"Whereas the Auditor General of Ontario reported on the spending at eHealth and highlighted the role of the Management Board of Cabinet in waiving the rules about contract tendering; and

"Whereas the Auditor's report suggests that bids were rigged to ensure pre-chosen companies would be awarded the business; and

"Whereas the Ministry of Health refused to allow the Auditor General to begin his audit of eHealth for six months; and

"Whereas serious questions remain about the role of McGuinty Liberal cabinet ministers, including former Health Minister George Smitherman, in this spending scandal;

"We, the undersigned, petition the Legislative Assembly of Ontario to demand a full public inquiry into the eHealth spending scandal to determine whether anyone received personal gain from the thwarting of contract tendering rules, what the relationship was between the Liberal Party or individual Liberal MPPs and the various consultants hired by eHealth, and which McGuinty cabinet ministers were involved in the improper tendering of contracts."

I agree with this petition. I will sign it and give it to page Karen.

TAXATION

Mr. Garfield Dunlop: I have a petition from a group of people in Barrie from the Bay Club.

"Whereas the proposed harmonization of the Ontario retail sales tax with the federal general sales tax will significantly increase the monthly maintenance fees that owners of condominium corporations contribute; the proposed tax increase of 8% on the monthly maintenance fee and reserve fund will cause major economic concern to many condominium corporation owners and severe economic consequences for many condominium corporation owners;

"We the owners/residents of Simcoe Condominium Corp. No. 37, located at 181 Collier St. in Barrie, Ontario, petition the government of Ontario to exempt all Ontario condominium owners from the new proposed tax on the maintenance fees and reserve fund fees paid by the corporation owners."

I'm pleased to sign this and give it to page Saeyon.

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as ... gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations ... veterinary care, and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes once and for all on Ontario's hard-working families and businesses."

TAXATION

Mr. Robert W. Runciman: I won't read this petition. I'll only say that there are thousands of signatures of residents of Leeds–Grenville vehemently opposed to the implementation of the HST, and I strongly agree with them.

TAXATION

Mr. Ted Chudleigh: I have a petition to the Legislative Assembly of Ontario.

"Whereas the province of Ontario collects a provincial sales tax (PST) and the federal government of Canada collects a goods and services tax (GST) and the current government of Ontario is proposing to merge the two taxes into a single harmonized sales tax (HST); and

"Whereas the proposed harmonized sales tax does provide some benefits to business in Ontario; and

"Whereas this new tax will result in provincial taxes being charged on a large number of items and services where it is not currently charged; and

"Whereas the people of Ontario have absorbed a number of new and increased taxes despite Dalton McGuinty's promises that such tax increases would not be implemented, and have therefore seen their disposable income drop accordingly; and

"Whereas these additional taxes will result in increased taxes paid by Ontarians;

"We, the undersigned, petition the government of Ontario to immediately rescind their existing plan and initiate a joint process with the federal government to reconsider the proposed harmonized sales tax, with special consideration for matching existing tax exempt items and services, in order to ensure that any changes to

tax policy do not further increase taxes paid and revenue collected."

I agree with this petition, affix my name and pass it to my page, Hadhy.

1540

TAXATION

Mr. John Yakabuski: I have a petition to the Legislative Assembly of Ontario, and it will likely be the last opportunity I have to table these petitions. I want to thank all the people who've given these throughout the fight against the HST.

"Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals' new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

I support the petition and affix my name, and I will send it down with Robyn.

PUBLIC TRANSIT

Mr. Mike Colle: I have a petition on behalf of a transit worker who lost an eye, while driving a bus, as the result of a gunshot wound.

"Whereas too many innocent people are being victimized by acts of violence while using public transit; and

"Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

"Whereas we need to send a strong message of zero tolerance for violence on public transit; and

"Whereas anyone harming" anyone "or carrying a weapon on public transit should be dealt with by the full force of the law; and

"Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation" and from being shot;

"We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support ... Bill 151 to crack down on violence on public transit."

I support this petition, and I affix my name to it.

TAXATION

Mr. Jerry J. Ouellette: I have a petition that reads:

To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as: arena ice, soccer and baseball field rentals; gasoline; cellphone bills; home heating oil and electricity; gym fees; golf green fees; ski lift tickets; movie, theatre and event admission fees; Internet services; boat rentals, fishing licences, charters and wood for the campfire; home renovations; and real estate transactions;"—to name but a few.

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

I affix my name in full support.

TAXATION

Mr. Ted Arnott: I have a petition for the Legislative Assembly of Ontario, and it reads as follows:

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in a brand new tax on income that they inaccurately claimed was going to 'health care'; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it;

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as ... gas at the pumps; home heating oil and electricity; postage stamps; haircuts; dry cleaning; home renovations; veterinary care; and arena ice and soccer field rentals;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Dalton McGuinty government wake up to Ontario's current economic reality and stop raising taxes, once and for all, on Ontario's hard-working families and businesses."

This is signed by a number of my constituents, as well as a number of constituents from the riding of Perth-Wellington.

TAXATION

Mr. Paul Miller: This petition is: "Stop the Unfair Tax Grab." To the Legislative Assembly of Ontario:

"Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

"Whereas many families are facing the threat of layoffs or reduced hours; and

"Whereas, rather than introducing a plan to sustain jobs and put Ontario's economy back on track, Dalton McGuinty and his government chose to slap an 8% tax on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

"Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization."

I agree with this and will affix my name to it. Iman will bring it down.

HOSPITAL SERVICES

Mr. Ted Chudleigh: A couple of months ago, I put in over 10,000 names, and I've got about another 2,000 names for this petition.

"To the Legislative Assembly of Ontario:

"Whereas the town of Milton is the fastest-growing community in Canada, with a population that is expected to surpass" 130,000 "by 2014; and

"Whereas the Milton District Hospital is designed to serve a population of 30,000; and

"Whereas young families, seniors and all residents of Milton are currently unable to access quick and reliable health care; and

"Whereas the excellent doctors and nurses at Milton District Hospital are constrained by unacceptable conditions and a lack of resources;

"We, the undersigned, petition the government of Ontario to immediately approve and initiate the process to expand Milton District Hospital and to provide adequate interim measures to prevent further suffering for the people of Milton."

I'm pleased to sign this petition and pass it to page Alana.

HOSPITAL FUNDING

Mr. Norm Miller: I have a petition having to do with Muskoka-Algonquin Healthcare funding. It reads:

"Whereas demand for health services is expected to continue to rise with the growing retirement population in Muskoka-East Parry Sound; and

"Whereas recent funding cuts include the loss of health care services at the Burk's Falls health centre, reductions in acute care beds at both hospitals and cuts to services such as physiotherapy; and

"Whereas the government is providing hospitals with funding increases of roughly 2%, but costs for health care salaries negotiated by the ministry and other fixed costs are increasing at a rate of 4% to 5% each year; and

"Whereas hospitals will face ongoing budget cuts as a result of insufficient funding by the province of Ontario,

despite collecting \$12 billion in health taxes from Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government and the Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services for the people of Muskoka-East Parry Sound and provide long-term-care beds for Muskoka-East Parry Sound."

I support this petition.

DRIVER LICENCES

Mr. Robert W. Runciman: I have a petition addressed to the Legislative Assembly of Ontario with several hundred names—I have tabled earlier petitions on the same subject; I think we have thousands of names—objecting to the closure of two independently owned and operated driver and vehicle licence issuing offices, one in Kemptville and one in Brockville. It makes no sense, in terms of providing support to consumers and providing best value for taxpayers. I'm affixing my signature in support.

DRIVER LICENCES

Mr. John Yakabuski: I will not read the petition, in the interest of giving someone else the time. This is a petition on the same issue, with thousands of names requesting that the government keep these privately owned driver and vehicle licence issuing offices in Ontario open. I support it, and I affix my name.

SCHOOL TRANSPORTATION

Mr. John Yakabuski: I also have a petition to the Legislative Assembly of Ontario; I will not read it in the interest of time. It's to save Ontario's independent school bus operators. I have hundreds of signatures on this. It is also an issue that the government has been ignoring. I support and table this petition today.

ORDERS OF THE DAY

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (VIOLENCE AND HARASSMENT IN THE WORKPLACE), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (VIOLENCE ET HARCÈLEMENT AU TRAVAIL)

Mr. Fonseca moved third reading of the following bill:
Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment

in the workplace and other matters / *Projet de loi 168, Loi modifiant la Loi sur la santé et la sécurité au travail en ce qui concerne la violence et le harcèlement au travail et d'autres questions.*

The Deputy Speaker (Mr. Bruce Crozier): Mr. Fonseca.

Hon. Peter Fonseca: I rise today to speak out against violence and harassment in the workplace. The bill before this House is aimed at protecting workers. Violence and harassment have no place in our workplaces. These are serious and significant issues in the workplace, and our government is committed to dealing with these issues.

On April 20, 2009, I introduced this bill containing amendments to Ontario's Occupational Health and Safety Act to help tackle workplace violence. In October I stood before you again, when this bill was debated and passed second reading. Today I'm asking for your support once again as this bill, known as Bill 168, enters third reading.

1550

Workplace violence and workplace harassment can have tremendous consequences on workers, on their families and on society as a whole. It is a frightening and harmful experience for a worker who experiences violence in the workplace. It leaves them with an immeasurable emotional and physical scar. And the trauma doesn't stop there. Workplace violence and harassment are damaging to the victims' relatives, affecting everyone, including children, parents and the extended family. It creates guilt in the workplace for those who may have known of the risk against an individual but could do nothing to prevent it. And it creates fear for those who continue to work in a workplace where violence occurred and who never know when another incident may occur where they will be the next target.

Workplace violence and harassment is also harmful to business. It leads to increased costs for employers, increased absences from work and lower productivity. Almost one in five violent incidents occur in the workplace. In fact, a 2004 Statistics Canada survey found that 17% of violent incidents in Canada occurred in the workplace. Last year, in the period from April 2008 to March 2009, the Ministry of Labour received 170 complaints related to violence in the workplace.

Our health and safety inspectors at the Ministry of Labour were called in to deal with these matters involving workplace violence and harassment and made more than 400 field visits during the 2008-09 fiscal year related to these matters. Their investigations resulted in more than 350 orders being issued under the Occupational Health and Safety Act. It's clear that our government must increase protection for workers by addressing the potential for violence and harassment in the workplace.

The bill before the honourable members in this House today is designed to confront those issues. It not only proposes to enhance protections against workplace violence, but it also addresses workplace harassment. Everyone should have the right to go to work, without fear of

violence, to a workplace that is safe and healthy. By preventing injuries and creating healthier workplaces, we're saving business money and creating a more prosperous Ontario. Employers must ensure the safety of their workers in the workplace. These proposed amendments would require employers to proactively assess certain risks of workplace violence and create measures and procedures in a workplace violence program to control those risks. Our goal is to prevent incidents of violence and harassment before they occur.

If passed, these new provisions would be enforced by my ministry's health and safety inspectors. My ministry is currently working with its occupational health and safety system partners to develop resources and tools to help support employers and workers. We're also working with the Ontario Women's Directorate. We want to raise public awareness of the rights and responsibilities that employers and workers would have related to workplace violence and harassment.

If this bill is passed, workplace violence and harassment would also become part of the ministry's Safe at Work Ontario compliance strategy. Safe at Work Ontario seeks to improve workplace health and safety practices. It does this by raising awareness of hazards and by conducting specific inspection blitzes of those hazards in various sectors across our province. It takes a broad approach to safety, based on the potential for injury and illness as well as the prevalence of hazards in the workplace.

There is no acceptable rate of injury in Ontario. I'm proud to say that our government has lowered the lost-time injury rate by over 25% in the last six years. But we could do more, and if this bill passes, workplace violence and harassment would become hazards that would be considered by our occupational health and safety staff in the planning of these workplace inspections.

The McGuinty government has listened to stakeholders about how to address workplace violence and harassment. We've consulted with employers, with labour and with women's groups. We have recognized that the protections and responsibilities under the Occupational Health and Safety Act need to be clarified and that workers and employers need to know what is expected of them. This bill would provide certainty to workers about their rights. It would also clarify that employers have responsibilities in preventing workplace violence and in addressing harassment.

My ministry has dealt with the serious issue of workplace health and safety by hiring more inspectors and by continuing to look for ways to make the whole system function better. We've also dealt with it by proposing amendments to the Occupational Health and Safety Act so that we can address workplace violence and harassment.

We must deal with workplace violence not just from another worker, but from anyone who has access to a workplace. It could be a customer at a gas station, a patient in a hospital, a student or a parent at a school, or someone, as the MPP for Eglinton-Lawrence said, getting

onto a TTC bus. The source of the violence should not matter. As the government, it is our obligation to deal with workplace violence.

The amendments in this bill are designed to build upon the current protections in the act. In the past 12 years, three coroners' juries have recommended amendments to the Occupational Health and Safety Act to address workplace violence. There's no denying that violence occurs in our workplaces.

I'm proud to be part of a government that is proposing new rights and responsibilities to prevent and respond to violence and harassment in the workplace. We need to work together to prevent and eliminate workplace violence, and Bill 168 will help us do this (1) by clarifying the obligations and the rights of workers; (2) by helping employers learn what minimum standards are expected for their workplace; and (3) by giving workers the right to refuse work if they believe they're in danger of workplace violence.

For many years, the Ministry of Labour has been requiring employers to take reasonable precautions against workplace violence. The amendments in this bill would clarify those precautions and make workplaces even safer. They would do so without substantially increasing the regulatory burden or costs on Ontario businesses, and at the same time they would make Ontario businesses much more competitive and productive.

Preventing injuries and absences leads to higher worker morale and greater productivity, and reduced lost-time injuries lead to lower workplace insurance premiums and costs.

I want to acknowledge the dedication and the work done by everyone who helped put together this legislation. I want to thank all those who provided input, including my colleagues in education and health, and also my policy adviser Melissa Banfield, who did an outstanding job.

And now I stand before this Legislature and ask for the support of its members to pass these amendments. Together, I know that we can make Ontario's workplaces safer. Together, I know that we can create work environments that are free of fear for the thousands of workers in this province.

1600

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John Yakabuski: I'm pleased to speak on Bill 168, workplace violence, and we all applaud any efforts to improve the environment and, if possible, eliminate workplace violence. I don't think any employee or anybody involved in a workplace should be subjected to violence and/or harassment in the workplace, so we're going to be supporting this bill here on third reading. I know that it will be passed today.

But there are some issues that I think the Minister of Labour needs to be aware of as well. He needs to also ask himself, "What about the employees of the ministry itself and the harassment that they participate in?" The other day I raised the question. The minister was unable to be

here, but the Minister of Finance, the Deputy Premier, answered the question, saying, "Well, this case is before the courts." The case I'm going to talk about is not before the courts. It's a case where the Ministry of Labour, after getting caught in its own web, was forced to drop four charges under the Occupational Health and Safety Act against Gulick Forest Products in Palmer Rapids, Ontario, in my riding. The conduct of ministry employees under those circumstances is something that is absolutely unacceptable and that I find quite abhorrent. The minister, if he wants to uphold justice, should feel the same way.

One of the highest principles of justice in a democracy, in a system such as ours, is that the crown should never place the value of a conviction above the value of the truth and the facts. It is not the crown's job to get convictions. It is the job of the defence to get acquittals—that's what they're hired to do—but the crown has very clear legal obligations, and one of them is that they must make available to the defence at any time any evidence that would be exculpatory for the defence. What we had in this situation where the Ministry of Labour charged Gulick Forest Products were several instances where they failed to turn over evidence that would have been exculpatory. In one case, they even claimed that the evidence didn't exist, and when the Gulicks produced copies of the evidence themselves, they went on to say that the original inspector from years ago who had actually done that inspection had lost his narrative notes in a personal move.

Now, you know, my name is Tucker, but it's not "sucker." I mean, give me a break here. A ministry employee keeps his narrative notes at home? Do you see what is happening here? This is all about harassment. What's happening is that these henchmen from the Ministry of Labour are going out into these workplaces, laying charges and then trying to intimidate people into pleading guilty. What was said by Linda Chen, crown counsel, and Catherine Glaister to the Gulicks—Steven Brennan was the inspector—was, "If you don't plead guilty, we're going after you for the full \$2-million fine, but if you plead guilty"—sort of like, have I got a deal for you—"and give us our conviction"—the notch on the belt, so to speak, so that they can look like heroes to the minister—"it's going to be \$65,000 plus a victim surcharge."

But when they got caught in their own web, they got found out—inconsistency, doctored evidence, documents that the numbers were changed on, all of this stuff—then they went back and said, "Oh, we're dropping the charges." But do you know why they said they were dropping the charges? Because their witness was unreliable. Their witness was a young man himself who had been injured in the industrial workplace accident. When they got caught in their own web, now they're saying, "Our witness isn't reliable." Can you imagine that? At one point they were basing their whole case on their witness, and then they said the witness wasn't reliable. But do you know why they said the witness wasn't reliable? Because

they actually went to his house and tried to tell him what his statement was going to be. They actually coached him to make false testimony under oath in this case. So it's a vicious, wicked web of corruption in the Ministry of Labour in order to just get a conviction so we can slap that up on the website and scare the heck out of everybody else in the province of Ontario. That's what harassment is going on at the Ministry of Labour.

If you look on the ministry website, they post the names of everybody who has been charged and everybody who has been convicted. It's like a flag-waving thing: "Look at us. Look who we got." They do this under the guise of seeking safer workplaces for workers. That's not what they're doing. They're just seeking convictions so they can pretend that they're doing something for workers. Everybody who owns a business and everybody who has ever worked in one places the value and the priority of worker safety at the top of the list, but when the crowns themselves would place more importance on a conviction than the truth, we're all in trouble. Our system is in trouble.

I call on the minister, as I called in question period on the Deputy Premier, to immediately embark on a third party investigation of what went on here, not just in this case, but in all of those cases on your desk that you're so proud of on the website, where you've got these guilty pleas by using those intimidation tactics, those threats: "You give us our conviction or we're going after \$2 million." How many small businesses could survive a \$2-million fine? Very few. That's what's going on.

That's what the minister needs to investigate: They need a third party investigator to look at this. In the meantime, people like Linda Chen, Catherine Glaister and Steven Brennan should be off the job so they can't be going around harassing other honest people who are trying to keep people working in Ontario in this economy. If there's a workplace situation where the employer is at fault, by all means—but don't believe that just because you lay a charge, you must have a conviction. Sometimes the truth indicates otherwise, and when the truth indicates otherwise, admit it and move on. You don't have to win every case at the expense of a business that is trying to employ local people. That should be irrelevant to you. It should be irrelevant to you as to whether you convict someone or not. What should matter is the truth, and that's what your people should be focused on in the Ministry of Labour.

Getting back to Bill 168 and what it's specifically about: I commend the government for taking these steps to ensure that workplace harassment and violence are something that we will place a very, very high importance on eliminating. We know that in the real world, it's not going to be a perfect world, but we do have to ensure that whatever steps can be taken will be taken to make Ontario workplaces safer from harassment and violence. At the end of the day, if the truth is what guides us, then we'll make this a good bill; we'll make this something that helps workers. But at the end of the day, it should also be what guides the Ministry of Labour.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Andrea Horwath: It's my privilege and pleasure to rise to speak to Bill 168 this afternoon, and I say that because it's a bill that is long overdue in the province of Ontario. Unfortunately, notwithstanding the statistics that were rhymed off by the minister—and he was pretty clear about the tragedy of workplace harassment and violence in this province—the bill isn't what it should be and what it could be in terms of making sure that harassment and violence actually does stop in workplaces in Ontario. Having said that, it is a small step in the right direction, and so we will find our way to voting in favour of this bill, hoping against hope that we'll be able to get some amendments to it sooner rather than later.

1610

There is no doubt that the legislation is long overdue, and there is no doubt that there have been people in this very chamber who have been working very hard, over many years now, to try to get to the place where we actually have legislation that covers off harassment and violence in the workplace. What this bill in front of us today does, unfortunately, is not good enough, particularly when it comes to certain kinds of behaviours in the workplace that we know are not going to be covered under the legislation that the minister has brought through the process. That's the unfortunate thing.

What we've seen is a bill that does not deal with the issue of psychological harassment. We have seen the government bring forward a bill that would not have done a single thing to prevent the death of Lori Dupont or of Theresa Vince. I'm going to talk about that a little bit more later on, but in my introductory remarks, I think it's really important to indicate that the bill does not do what it needs to do to save workers in the future from the same horrible, horrifying fate of both Lori Dupont and Theresa Vince.

I think that is the biggest tragedy of this bill: Notwithstanding all of the expert testimony, notwithstanding the testimony of Barbara Dupont, Lori's mom, and notwithstanding the testimony of all kinds of different organizations and experts in this field, and notwithstanding the fact that there are many examples—across the country, across this continent, and around of world—of legislation that actually is effective and does deal with the issue of psychological harassment, or bullying, in the workplace, this government has chosen to absolutely ignore that reality.

I think that's the tragedy of this bill—that those women, particularly, died in vain and that this bill will not prevent women and others in the future, from dying, being murdered, killed in their workplace. That's not what I'm saying; that was clearly identified in the process of the hearings and in the process of the people who came to depute to the minister and to his committee. They said, very clearly, that this bill does not go far enough, and I'm going to put some of their comments on record as well.

The bottom line is, what the bill doesn't acknowledge and recognize is the continuum that exists, from harass-

ment all the way to its worst end, which is the actual act of violence. You don't go straight to the violence. Often the violence comes after incident after incident after incident of harassment, bullying, verbal abuse, psychological abuse, and these things escalate over time in a workplace. At the end, you end up with a violent act.

So the government and the minister have totally ignored all those other stages where significant action can be taken to put a stop to the cycle and prevent the eventuality of the violence from taking place.

They have consciously decided that is not something that they're interested in doing. I say to the government and to the minister, shame on you for not recognizing and acknowledging, not listening—it seems to be a pattern with this government—to the experts, who, one after the other, told them that this bill was lacking in regard to the whole issue of bullying and psychological harassment.

Experts say that some 40% of the workers in this province experience some kind of harassment or violence in the workplace—40%. That's a huge number; that's a frightening number. Maybe that's why the government decided not to include psychological harassment and bullying. Maybe they don't want to see the WSIB claims that may come as a result of having real legislation with teeth.

But the problem is this: As long as we don't have that legislation in place, we don't have that opportunity for people to begin to address violence with what we call "the precautionary principle," which says you do know that this is coming down the pike because of various behaviours that have been demonstrated. And so if you take into consideration the precautionary principle, then you would be putting in place legislation that is actually effective and that would actually help people to address their bullying situations. It would help people prevent violence from occurring in their workplaces. But the government's obviously not interested in that. They would rather see legislation be passed in this House that is a pale mockery of what needs to be in place in the province of Ontario.

The bottom line is that the deputants were very, very clear that they are not happy with the letter of the law, as has been put forward by this government. I have to tell you, New Democrats did what we thought was the important thing to do, which was hear what the people had to say and bring forward amendments based on their concerns, and we did that.

And this government, instead of listening, instead of paying attention, instead of doing what they needed to do to bring in the best legislation to protect people in the workplace from bullying and harassment, decided to play politics, and like trained seals the members on their committee voted down every single one of the NDP's amendments. That is the shame: Instead of doing what needs to be done to protect workers in workplaces against bullying and violence, this government played politics right up until the very end of this process and ended up, as a result, with a bill that will not do what needs to be done in the province of Ontario.

I say this because I, in fact, brought a bill myself, a couple of times, into this chamber to really deal with harassment and bullying in the workplace. It was Bill 29, and I'm going to talk a little bit about that as well.

When I tabled that bill in the Legislature—you know how it works: You come in and you do your first reading. It's literally just pretty much handing it over to the Speaker and to the table so that it's on the record. It gets numbered and it becomes part of the bills that await debate. I didn't do anything other than bring that bill in. I had some consultation with stakeholders, with unions, with people who were involved in anti-violence, particularly the Lori Dupont inquest action group. I talked to them about the kinds of things they would want to see in legislation, and I drafted my bill based on that. I brought it into the Legislature. I didn't put a press release out when I tabled it. I didn't do anything; I simply tabled the bill.

Within days, I was inundated with e-mails and phone calls—inundated. People in tears telling me their stories about the violence that they had experienced in the workplace, but every one of those people spoke first about harassment and bullying; about how, at the hands of some bully in their workplace, they were diminished, how their experience created such stress and anxiety that they were physically ill, that they had to take time off of work, that their children and their families suffered.

There are some suggestions that 10% of all suicides that occur can be traced back to violence and bullying in the workplace—10% of suicides. One of the deputants suggested that studies are indicating that 30% to 50% of the people who are experiencing these kinds of situations in the workplace are ending up in divorce or severe family problems as a result of that.

It is an epidemic, and it's not just an epidemic in Ontario, it's an epidemic everywhere, which is why really serious legislators in other jurisdictions have done the right thing and have put in legislation with real teeth that provides real opportunities for people to take on bullies in their workplaces. This government has chosen, unfortunately, to do the opposite.

I want to talk a little bit about one of the things that was raised by Lori's mother, Barbara Dupont. I have a tough time even thinking about the strength and courage of that woman over the last couple of years, and the things that she has done with the inquest action group in the Windsor area to try to bring some kind of sanity around the tragedy of her daughter's death. She has been extremely active in trying to get legislation here in the province of Ontario.

Here's what she says about this bill that's before us now. She was asked specifically by, in fact, a Liberal committee member who is in this chamber right now, "Do you feel that Bill 168 does raise awareness for harassment in the workplace?" Here's what she said: "I feel it continues to focus more on physical injury and does not focus enough on the psychological and emotional areas of harassment that lead up to and can lead into physical violence. In Lori's case, there were many

signs and signals, and they gradually escalated over an eight-month period. Harassment needs to be caught when it first starts, so that it doesn't continue to escalate, and I don't think the bill reflects enough the continuum of violence where it starts and gradually seems to escalate." That's Barbara Dupont.

1620

I think it's important that I talk a little bit about another courageous family whose member also was killed in the workplace. That's Theresa Vince. She was killed by her supervisor at work. Here's what Catherine Kedziora, the daughter of Theresa Vince, said at the committee hearings: "The violent act of her"—Theresa's—"murder was not where it began; it is where it ended. That is why the definition of 'workplace violence' must be broadened to include not only physical but psychological violence as well.

"In closing, I would like to add one more thing just to give you some food for thought. Had the province, under the previous government, utilized and acted upon what we learned at my mother's inquest, there is a possibility that Lori Dupont would not have lost her life nine years after my mother, in 2005.

"I implore you to get this right," she said. "We need this bill, but we need this bill to be the best possible bill it can be so there is never another Theresa Vince or Lori Dupont. We know what we need to do, and there are no excuses anymore."

I think that says it all. There are no excuses anymore, and the tragedy of this debate today is that this legislation that this minister has brought forward will not do a darned thing to prevent the same kinds of circumstances to occur in a workplace, to escalate in a workplace and to end up in the death of a person in the workplace. Often, those people are women. Those are the people who are being harassed in the workplace, who are being killed, who are being murdered, and this government has the gall to be proud of legislation that will not make one hill of beans of a difference.

We had Theresa Vince's death. We had an inquest. Nothing was done. We had Lori Dupont's death nine years later. We had an inquest. The government decides to do something, but what they've done means that next year, the year after, the year after that or tomorrow the same situation can occur. The exact same thing that happened to Lori Dupont, the exact same thing that happened to Theresa Vince, can still happen in the province of Ontario because this government chose to bring forward a bill that ignores the preponderance of evidence that says that psychological harassment and bullying have to be addressed.

Any effective legislation on violence and harassment in the workplace has to address bullying, has to address psychological harassment. This government has chosen to simply ignore that reality, and I say shame on them.

These are the two families that were most affected by the tragedy of violence in the workplace. But there are other deputants who brought in important pieces as well that I thought I should share with the members here.

Although everybody is going support this bill, my hope is that somebody eventually has the courage to actually do the right thing and increase the protections for workers in the workplace.

The Ontario Coalition of Rape Crisis Centres said this: "It is our view that Bill 168 does not adequately recognize the continuum of violence that can occur and that can most certainly result in physical harm and injury, compromised emotional health and well-being, physical stress-related illness and other stress-related symptoms caused by workplace harassment or the presence of domestic violence that spills into the workplace. We believe that the definition of 'workplace violence' needs to be broadened to effectively address not only physical violence"—and it goes on to explain more details around exactly what they wanted.

So what did we New Democrats do? We listened to Barbara Dupont and we listened to Theresa's daughter, Catherine Kedziora. We put in place, through the committee process, the amendments that would have actually made this bill effective, that would have made it effective in preventing workplace deaths because it would provide the worker—the worker—with the opportunity to refuse to work in a workplace where bullying and psychological harassment are taking place.

But what did the government do? Did they accept those changes? Did they say, "Yes, we really want to get this right. We give a damn about whether or not there's going to continue to be harassment in the workplace. We're going to really try to put a stop to bullying that occurs in Ontario and Ontario workplaces"? No. They decided not to do that. They decided to simply ignore the facts; they decided to ignore the experts; they decided to ignore the tragedies of Theresa Vince's and of Lori Dupont's deaths.

It's a sad day when you have to get up in the Legislature and, on the one hand, say, "Yes, we'll support the bill. We'll support it because it's a step in the right direction," when what we should have been doing is proudly in this chamber getting up and supporting a bill, proudly being able to say that the right thing was being done here. Unfortunately, that's not the case. That's not the case at all.

When you look at the impact of bullying, when you look at the impact of psychological harassment—and, you know, the minister got up in his remarks at the beginning and he talked a good talk about all of the statistics. The statistics are real people. And as I said earlier, this problem of bullying and harassment is an epidemic in the province of Ontario. We have examples of stories that people told of their experiences that are absolutely chilling, and I wanted to share one of them with you, if I can find them here, because I think it's really important to remember that this is not just about statistics. It's about real people and their real experiences.

Here's a case study of workplace harassment: He was a former employee of a young offender facility in Thunder Bay. He resigned last year from his 16-year job

as a residential worker, under duress. He discovered after leaving his employer and commencing individual counselling that he was clearly a victim of workplace psychological violence.

In an e-mail to me, he stated that there were many other employees over his 16 years who were humiliated in some way during staff meetings or clearly not supported when they asked for help. "I watched so many employees leave this agency, being thankful that they left such a psychologically abusive environment," he wrote. "No other employee has dared to step forward for fear of reprisals."

Speaker, this is the kind of thing that's happening day in and day out at workplaces around the province, and I have to say it's not just an impact on the worker himself or herself; it's an impact on the entire working environment. So you end up with a toxic work environment that then affects all of the workers and affects the families of the workers. It also affects the employer in many ways, because the evidence is very clear that productivity is reduced as workers are not able to cope with this kind of behaviour in the workplace. They become physically ill. They lose their self-confidence, their self-esteem. They take time off just to try to cope with what's happening to them in their workplace.

This is no way for people to have to experience their workplace. We spend a great deal of time in our workplaces day in and day out, and that's why this government had an obligation. It had an obligation not only to Theresa and to Lori; it had an obligation instilled upon it, by the inquest into both of those women's deaths, which said clearly that changes to the Occupational Health and Safety Act needed to be made. So they have made some minor changes, but they haven't addressed the most important issue, which is the continuum of violence, the fact that harassment and bullying do lead to violent acts.

And so I say to you, New Democrats will support this legislation because it is a step in the right direction, but the government could have taken the leap. They could have taken the leap that would have actually prevented workplace violence and harassment. They could have taken the leap that would have given workers the right to refuse an unsafe work environment. Just like refusing to work near a toxic bin of chemicals, they should be able to refuse to work in a toxic work environment that creates just as much ill health, just as much damage and just as much difficulty. Thank you very much, Speaker. I appreciate the time.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Vic Dhillon: Thank you very much, Mr. Speaker, for the chance to speak on this bill.

First of all I want to say that during the public hearings I had the chance to meet the daughter of Theresa Vince, and Barbara Dupont, the mother of Lori Dupont. I want to express my sincere thanks for them coming to the committee meetings and telling their very horrific and tragic stories, for which reason we have brought forward this bill, a very necessary bill.

1630

I just want to start off by quoting Barbara Dupont, the mother of Lori Dupont. She said, "It was so important that Lori not be just another statistic. Something positive had to come from this tragedy." That's so very true, which is why, again, we've brought this bill forward.

You may work in a hospital where workers fear being injured by a patient. They may work in a school where they fear being injured by a student or a parent. A worker may work in any workplace where they fear being injured by a co-worker or by a relative or by a complete stranger. This bill before the Legislature would, if passed, apply to all Ontario workplaces currently covered by Ontario's Occupational Health and Safety Act. Again, this bill is being supported by a variety of organizations—just to name a few: the Ontario Catholic teachers' association, the Registered Nurses' Association of Ontario, and the president of the Ontario Federation of Labour. It would apply to possible violence or harassment from any person at a workplace, which would include customers, clients, co-workers, friends, current or former family members—anyone.

As the members of this Legislature may know, the primary purpose of the Occupational Health and Safety Act is to protect workers from hazards in the workplace, including hazards involving workplace violence. All employers have a general duty, under the act, to take every possible reasonable precaution in a given situation to protect their workers. They must also provide information, instruction and supervision to workers to protect their health and safety. The amendments in this bill would enhance and clarify those employer responsibilities as they relate to potential violence in the workplace.

They will also add new requirements for workplace harassment policies and programs. The proposed legislation would do this by adding a new definition of "workplace violence" to the Occupational Health and Safety Act. A definition of "workplace harassment" would also be included, a definition that would cover the broad range of types of harassment, such as psychological, sexual, bullying and intimidation. "Workplace harassment" would mean "engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome."

The proposed legislation would also provide a requirement for employers to:

- prepare policies on workplace violence and workplace harassment and develop programs to implement them;

- provide a requirement for employers to assess the risks of workplace violence and then develop measures to control them;

- provide a requirement for employers to take reasonable precautions to protect a worker at risk of domestic violence if the employer is aware the worker is at risk while at work.

Also, the amendments would provide a requirement for employers and supervisors to alert workers of the risk

of workplace violence if, in the course of their work, the workers may encounter a person with a history of violent behaviour.

This bill would also provide workers with the right to refuse work if they have reason to believe they're at risk of physical injury due to workplace violence, and provide a requirement for employers to notify the workplace joint health and safety committee and others if a worker is injured or needs medical treatment due to workplace violence.

Every worker has the right to return home safe and sound and I firmly believe this legislation will help them to do so.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: It's a pleasure this afternoon to rise and respond to Bill 168.

I just want to start—it's always very important to reflect on the history. I'm somewhat disappointed and probably have said this a few times on this bill. I think it's important to look at the history of what it's trying to achieve and how it's setting out to achieve that. If you want to look a little closer, I think if you look back, in 2001 there was a bill passed in this Legislature. That bill was passed and never received royal assent. That has always troubled me, that the bill was passed by the previous government and never received royal assent. What that bill would have done was resolve many of the issues with respect to violence, in the workplace, or out of the workplace, by allowing a restraining order to be issued by a justice of the peace seven days a week, 24 hours a day. I've watched this, because in my experience in my riding representing all of my constituents I've certainly been shocked and saddened by tragedies that could have been prevented. As I said in the committee meetings when Ms. Barbara Dupont, Lori Dupont's mother, was there—I had spoken to her because of the incident with Lori Dupont and felt that that bill again had failed. The government of that day—without the politics—hadn't moved forward.

I had a victim who I have mentioned before, Jennifer Copithorn, who, across the street from my riding office, was stabbed and killed by her estranged boyfriend. I was again saddened because the protections weren't there; again, the evidence was that she had applied for a restraining order as well and was waiting for her day in court.

But let's put the history to this as well. I introduced a bill—most people would know—Bill 10. Here it is. It was a replication of Bill 117, and it was called the Lori Dupont Act: An Act, in memory of Lori Dupont, to better protect victims of domestic violence. This is the bill. This bill was presented here in the House and debated here in the House. I had been in touch with the Dupont family and others, I should say; without trying to be any more—I was just trying to facilitate the justice of it all, or injustice in the case of the government's lack of action. Bill 10 got stalled. We'll leave it at that.

Somehow or other, somebody's pulling the strings here. It certainly isn't Minister Fonseca, the nice fellow

that he is, and that isn't my intent here at all. I really feel, though, that he didn't get it done; let's put it at that. I'm still not sure he's getting it done, because now we're on—I want to mention one more thing. I want to give respect to Andrea Horwath as well, because Andrea had Bill 29 introduced on December 13, 2007, and Ms. Horwath's bill was addressing the same issue in 2007. Here it is, two years later, December 13; almost to the day two years later, and they still haven't actually done anything.

I may seek unanimous consent to extend my time because I have to present a more thorough argument here, so here's the issue.

Interjections.

Mr. John O'Toole: I seek unanimous consent. Mr. Speaker, are you paying attention? I want to seek unanimous consent to extend my time so I can read a two-page brief from a law office.

The Deputy Speaker (Mr. Bruce Crozier): Mr. O'Toole is seeking unanimous consent to extend his time. Everyone agree? I heard a no.

Mr. John O'Toole: Stifled again, but I will, with all expedience, try to put this article—quite an important article—on the record. I want to recognize the authors from the firm McCarthy Tétrault, and they are Daniel Pugen and Ben Ratelband.

Here's the real issue. They've summarized this so wonderfully that I think it needs to be respected, but when I read through this after listening to the bill, participating in the hearings and reflecting on the bill, which I have here—and Minister Fonseca didn't write this. The civil servants—he just read the speech. Let's get real here. It's how it actually works.

"The main features of Bill 168 are summarized below:

"Definitions of workplace violence"—and it starts here.

Interjections.

Mr. John O'Toole: We need silence. I'm sorry. We need silence here.

"'Workplace harassment' means engaging in a course of vexatious comments or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome." This is fairly standard text; boilerplate.

"'Workplace violence' means (a) the exercise of physical force by a person against a worker in a workplace that causes, or could cause, physical injury to the worker; and/or (b) an attempt to exercise physical force against a worker in a workplace that could cause physical injury to the worker."

Quite understandable. What is notable about the definition is that it only deals with physical harm or injury. That is a very, very ineffective definition.

Interjection.

1640

Mr. John O'Toole: Give your voice a rest. David Caplan is making accusations, and he, of all people, who is being accused by this House—

The Deputy Speaker (Mr. Bruce Crozier): The member from Durham, take your seat for a second. You know that you are to refer to other members of the Legislature by their riding, please..

Mr. John O'Toole: Anyway, I would say also that these are the implications for the employer. In most cases that's the problem here. They're shuffling off the responsibility to the employer:

"One aspect of Bill 168 that may prove contentious is the obligation on employers and supervisors"—this is very important, and the implications here are extremely important about how this bill actually works—"to provide information, including personal information, to a worker about a person with a 'history of violent behaviour' if 'the worker could be expected to encounter that person in the course of his/her work; and there is a risk of workplace violence likely to expose the worker to physical injury.'"

That's a pretty overarching assumption and implication for the employer when it comes to the liability of the issue that we're dealing with.

Mr. Klees from Newmarket-Aurora—it should be looked up—made a very important plea the other day with respect to a father who had written to him about his daughter, who was killed in the workplace by a co-worker, and the implication is that the worker ought to have known. Then you get into the duty-to-disclose provisions under the law itself, and whether or not the duty to disclose personal information—to whom?

Under privacy rules—if the minister knows the rules—there's a fiduciary responsibility of what to disclose to whom under freedom of information; it's a very controversial issue of law. But here's my point: They're forcing the employer, who could be stating information that may or may not be true or implying information, when in fact they're only talking in the bill about physical harm, not emotional harm.

Threats and intimidations aren't physical harm; they're emotional implications of bullying, really. That's often the primary manifestation of harassment itself. I'm so disappointed at the lack of content in the bill. It's disappointing. It does not achieve what it was intended to achieve. If you really want to do the law here, we support strengthening, either through the employment standards or, for this matter, through this bill here, which is an Act to amend the Occupational Health and Safety Act.

I personally feel that if this was tested—you would find that they didn't respect my Bill 10, they didn't respect Andrea Horwath's Bill 29—it won't respect the rights of the worker in the workplace, who ought to have known or should be informed about a co-worker who may be involved in domestic violence or other forms of violence that could play itself out in the workplace.

If you read this legal paper on it—and I'm pleased to share it with the minister, because I'm sure he hasn't had any objective legal advice.

Interjection.

Mr. John O'Toole: The minister is replying, and I commend this to his reading, because I'm not an expert either. But I want to get the bill right.

The problem here is, it's the night before Christmas when all through the House nothing is being done, except to rush stuff through without proper consultation. If I was more of a poet, I could make something reasonably humorous about that.

Bill 168 contains no guidance on who would be a person with a history of violent behaviour. However, it is interesting to note that the person must have a history of violent behaviour and not necessarily harassment behaviour. This is the primary trigger of what happens; it's fooling, joking, cajoling, whatever, in the workplace. It often starts off with just fooling around—or at least that's how people may interpret it—and ends up in very tragic circumstances.

Work refusal is addressed as well. What should employers do? Here are some of the implications for employers. I should say that the paper I have cited here is from McCarthy Tétrault. It's an article detailing in respect of Bill 168, and I commend to it your reading, because they won't give me more time to expose the virtues of our observations. I'm so disappointed—I'm almost brought to tears—because the clock has run completely out.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Pursuant to the order of House dated December 8, 2009, I am now required to put the question.

Mr. Fonseca has moved third reading of Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters.

Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1646 to 1651.

The Deputy Speaker (Mr. Bruce Crozier): All those in favour will please stand one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura
 Arnott, Ted
 Arthurs, Wayne
 Balkissoon, Bas
 Berardinetti, Lorenzo
 Bisson, Gilles
 Broten, Laurel C.
 Brown, Michael A.
 Caplan, David
 Carroll, Aileen
 Chudleigh, Ted
 Colle, Mike
 Dhillon, Vic
 Dickson, Joe
 DiNovo, Cheri
 Duguid, Brad
 Elliott, Christine
 Flynn, Kevin Daniel
 Fonseca, Peter
 Hampton, Howard
 Hardeman, Ernie
 Horwath, Andrea

Hoskins, Eric
 Jaczek, Helena
 Jeffrey, Linda
 Johnson, Rick
 Jones, Sylvia
 Klees, Frank
 Lalonde, Jean-Marc
 Leal, Jeff
 Levac, Dave
 MacLeod, Lisa
 Mangat, Amrit
 Marchese, Rosario
 Martiniuk, Gerry
 Mauro, Bill
 McMeekin, Ted
 McNeely, Phil
 Meilleur, Madeleine
 Miller, Norm
 Miller, Paul
 Milloy, John
 Mitchell, Carol
 Moridi, Reza

Munro, Julia
 Naqvi, Yasir
 O'Toole, John
 Oraziotti, David
 Ouellette, Jerry J.
 Pendergast, Leeanne
 Phillips, Gerry
 Prue, Michael
 Rinaldi, Lou
 Runciman, Robert W.
 Ruprecht, Tony
 Sandals, Liz
 Savoline, Joyce
 Sergio, Mario
 Smith, Monique
 Sousa, Charles
 Tabuns, Peter
 Van Bommel, Maria
 Wilkinson, John
 Witmer, Elizabeth
 Yakabuski, John
 Zimmer, David

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 66; the nays are 0.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Be it resolved that the bill do now pass and be named as in the motion.

Third reading agreed to.

EMPLOYMENT PROTECTION FOR FOREIGN NATIONALS ACT (LIVE-IN CAREGIVERS AND OTHERS), 2009

LOI DE 2009 SUR LA PROTECTION DES ÉTRANGERS DANS LE CADRE DE L'EMPLOI (AIDES FAMILIAUX ET AUTRES)

Mr. Fonseca moved third reading of the following bill:

Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000 /
 Projet de loi 210, Loi visant à protéger les étrangers employés comme aides familiaux et dans d'autres emplois prescrits et modifiant la Loi de 2000 sur les normes d'emploi.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Fonseca.

Hon. Peter Fonseca: I rise today on third reading of legislation that will protect some of the most vulnerable workers in our province: foreign nationals who work as live-in caregivers.

Our government has moved forward to fill and meet a pressing human need. We're acting to ensure that these women and men, who are at risk of serious exploitation, receive the protections they need and deserve. Our government has responded quickly and, at the same time, carefully and responsibly to ensure that these very vulnerable workers receive the protections they should have. This legislation, if passed, is about fairness, but it's also about compassion. Respect for the dignity and worth of others is one of the core things of this bill.

Many in this House have heard about and read reports of exploitation of employees who are part of the federal live-in caregiver program. Many in this House have been tremendous champions for live-in caregivers and vulnerable workers. The member for Eglinton—Lawrence has stood up for these vulnerable workers and met and consulted with them. We have former Minister of Labour Brad Duguid, the member for Scarborough Centre, who has been another champion for this cause.

I had the opportunity yesterday of meeting with the Consul General of the Philippines, Alejandro Mosquera, and his colleague Frank Luna. We speak highly of these two individuals. I want to thank my parliamentary

assistant for the work he has done on the consultation to get us to where we are today.

There have been just concerns raised about exorbitant job placement fees charged to live-in caregivers. There have also been reports of instances in which some recruiters and employers have withheld passports and other personal documents of these workers. The irony is that these very employees devote their lives to caring for our most vulnerable loved ones: our children, our seniors and the disabled. This bill seeks to protect those who protect and nurture others every day of their working lives. They care for our loved ones who cannot care for themselves.

The protections this bill would provide were arrived at after consultations that were held this past summer with stakeholders. After receiving public input, these consultations helped identify and clarify the problem and told us where it was and who was affected, and informed the legislation that we introduced and are debating at third reading here today. My parliamentary assistant was part of those consultations and heard first-hand those accounts that make this legislation necessary.

In those consultations, we heard reports of exploitation and suffering that took place as a result. No one in this province should have to endure the conditions that were described to us. During the consultations preceding introduction of this legislation, we heard an all-too-common scenario of those expecting a job under the federal live-in caregiver program.

A nanny would come to Ontario with the work permit to work for a specific person named in the employment offer. If the nanny arrives in Ontario now and the employment situation doesn't work out or is not the situation originally promised, the nanny can't work legally until she has a new work permit that names a new employer. Until she gets that permit, a nanny will often be forced to work in violation of the terms of the program. I brought this up with the federal Minister of Citizenship and Immigration. This needs to be changed. Once she does that, she will often be told she is now illegal and must do whatever her employer tells her to do, for whatever wage her employer decides to give her. This is wrong. If she protests that employer and asserts her rights, she is threatened with deportation.

We are going to ban fees to nannies, we are going to increase enforcement and we are going to stiffen penalties up to \$50,000 for violators and—the only jurisdiction in all Canada—up to 12 months of jail time. This is the right thing to do.

1700

I want to thank all those who have been a part of shaping this legislation that will help us protect the most vulnerable workers in our province.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Norm Miller: It's my pleasure to have a few minutes to make some comments to do with Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000.

I came relatively late to this bill. I'm filling in for the member from Lanark-Frontenac-Lennox and Addington, who will not be in the House for the foreseeable future. I had the pleasure, though, of attending the public hearings and listening to the comments of people affected by the bill. The bill was time-allocated, as so many pieces of legislation that are passing through in recent days have been, so there wasn't a lot of time for various groups to make their views known. But we heard from caregivers, we heard from agencies, we heard from legal services, we heard from consulting services. Certainly, one of the things I learned from sitting through the public hearings is that there are some very legitimate businesses out there that are providing opportunities for foreign caregivers and providing great services for families that need caregivers in the province of Ontario. They made presentations, but unfortunately the government didn't listen to their perspective.

The PC Party did listen to their presentations, and we put forward a number of amendments to protect caregivers and also to keep those legitimate businesses that are doing a good job—so that they can stay in business and provide opportunities for caregivers and provide caregivers for families that need them.

Unfortunately, as I say, the government did not listen. I think they're more concerned with just reacting to one situation, having the optics of having done something, and in the process, they're rushing legislation through—and it's bad legislation.

Unfortunately, we will not be able to support this legislation because of the way the government did not listen to the people who came before committee.

For example, one of the companies that came before us was Select Nannies, Eva Knof. She wrote to me after the committees had occurred, on December 5. She said:

"Dear Mr. Miller,

"I would like to thank you for giving me and my colleagues an opportunity to speak and address our concerns regarding Bill 210. It is clear to me that each one of us in the room Wednesday shared the same goal, which is to protect the caregivers and put an end once and for all to the horrible stories we heard.

"However, in order to put efficient safety nets in place, one must understand the intricate details of the industry"—and this is where the expertise of the experienced stakeholders comes into play. "It is very easy to say 'ban all fees' and hope that things fall into place and the bad guys go away. However, such well-intended actions will have detrimental effects on reputable agencies who offer genuine and beneficial services to the caregivers.

"From the questions asked Wednesday, it was clear that several important facts were not well understood. There seemed to be confusion about the total cost of executing placements. As you heard, it takes 51 work hours per placement, plus the cost of office overhead, if the placement is done correctly. Typically the ethical overseas agents charge between \$2,500 and \$4,000 to the caregivers, whereas rogue agents charge up to \$10,000.

An immigration consultant charges anywhere between \$1,500 to \$2,500 per work permit, which is the norm in the industry. The fees by the Canadian agents to families vary greatly, with some not charging a fee at all—and this should be eliminated with Bill 210—“while the well-known agencies charge anywhere between \$700 and \$2,000 per placement.

“Here is the missing link that is so critical for you to understand: There are ethical recruitment agencies overseas that are licensed by their government to recruit live-in caregivers and are indispensable to the Canadian agencies.

“Here are the actual, verifiable monthly overhead costs for running a licensed recruitment agency in Taiwan:

—advertising in two major newspapers: \$700;

—radio ads to reach caregivers in rural areas, who are 90% of the applicants: \$2,000;

—Taiwan law requires that a licensed recruitment agency has at least three licensed immigration specialists on staff and guarantees their salary regardless of their workload. Annual licence fee: \$1,500;

—the agency is required to have a CEO who must be a Taiwanese citizen and reside in the region, with a salary which is double the going minimum wage: \$1,300;

—office staff at a minimum wage salary plus commission: \$2,000;

—office expenses, phone, Internet, security, rent, building service fee: \$2,500.

“In addition to the above, each licensed agency must post a bond of \$50,000 and have a registered, paid out capital of \$120,000. This is the minimum cash amount they must have sitting in their bank account to show that they have enough money for operating costs. This totals \$9,325 monthly, which is only achievable by those who turn over large volumes of applicants. It obviously becomes impossible with Bill 210.

“Keep in mind that these legitimate agencies must compete with the rogue recruiters who are walking the streets, signing up new caregivers every day for outrageous fees, for big promises, and only have the cost of their cellphones as their overhead. These guys will not go away with Bill 210, only the ethical agencies will.”

So the effect of this bill, which is well-intentioned, is to put the legitimate operators out of business and leave the rogue operators there to do their business. It will actually make the situation worse.

Back to the letter: “Now that you better understand these facts about ethical recruiters, I beg you to reconsider the consequences of Bill 210. The Canadian agents were telling you over and over on Wednesday that they will not be able to survive on fees to families alone. You’ve heard from hundreds of families by e-mail that they are not willing or able to pay higher fees.”

If I can interrupt the letter again, I would agree with the e-mail, in that I received over 200 e-mails from individual families concerned about the effects of Bill 210.

“If ethical agencies close their doors, the results will be catastrophic. The caregivers will no longer be pre-

screened and will be scooped up by unsuspecting families hiring via direct hire through the Internet or from unscrupulous agents.

“The biggest issue lies in the fact that unscreened, unreferenced caregivers will be arriving into Canada to look after Canadian children and putting them at risk. It is criminal to protect foreign nationals while putting Canadian lives at risk. These unscreened caregivers will be arriving to look after newborn babies in remote towns of Ontario, only to be released upon arrival because they do not have any knowledge of hand washing or food safety preparations. Canadian children will be at risk if caregivers cannot swim after they assured their Canadian employers over the phone that they are great swimmers. Our elderly will be at risk because the caregivers will not have any basic first aid training and will not even know how to call 911. Our children will be at risk because they will be left unattended by their caregivers, who can walk out the door without any consequences. Isn’t it the responsibility of the Canadian government to ensure the safety of Canadians first and foremost? The system is failing Canadians and it is up to you to step up to the plate.

“There is one final issue that needs to be addressed as a result of Wednesday’s testimonials of caregivers. We all sympathize with those who are abused by the system and we are undeniably on their side, but the picture that was painted Wednesday was not characteristic of the real numbers. I invite you to bring forward 10 randomly selected caregivers who have arrived in Canada under the LCP and see what the real statistics are. I suspect that only one will come forward, and most likely because of a minor complaint. I invite you to ask the ethical agencies and see what their success rates are. I suspect you will be pleasantly surprised.

“Caregivers who are deemed not placeable by legitimate agencies because of either gender or poor communication skills are offered big promises for big money. Too many times I’ve seen caregivers appear on other agencies’ websites after I already deemed them unplaceable or even unqualified.

“It is also important to differentiate the recruiter of foreign live-in caregivers from a headhunter for corporate positions, where the employer is willing to pay anywhere from \$5,000 to \$25,000 in commission fees to the headhunter, therefore the client does not have to pay any fees. The fees should be a cost-sharing arrangement. Today, in many cases, the caregiver pays 100% of the fees and Bill 210 believes it should be 100% the employer.

1710

“It is our recommendation that the employer should pay for the fees related to services that identify the right candidate for them; an application, i.e., recruitment fees; and LMO application. The caregiver should be responsible for paying for programs to improve her skills and help her with the immigration process, to make sure no mistakes are made.

“I urge you to rethink your plan for Bill 210 and help bring forward a bill that we can all be proud of.”

That was from Eva Knof, a certified Canadian immigration consultant and director of Select Nannies Inc. of Niagara Falls.

I think she makes a lot of excellent points about how legitimate businesses will be very negatively affected by this bill. The effect will be that rogue operators, those that aren't going to give a hoot about Bill 210, will continue to operate and charge outrageous fees, but we're going to lose all sorts of parts of the system that did protect the live-in caregivers.

When a number of these groups came before the committee, I said that the best testimonial would be from those people who have used their services. So I'd just like to read into the record some of the testimonials from caregivers and from families, because I think that word-of-mouth advertising is best. When you get all kinds of people using your service and referring other people—both caregivers and families—that says a lot about the way you're operating your business.

From caregivers: "I'm glad that I know you, not just as my agency but also as a friend of ours. You are one of the best people I know. I'm so grateful to have Shelley and the kids. I can't think of a better place, better family or better situation than this. Thanks a lot. Keep up the good work to help more people like me. Stay as you are, because I know your company will be successful"—from a caregiver. I will omit the names.

Another one: "A million thanks for helping. You're always ready for me. I love you."

Another one: "I really appreciate every help you gave me. Without you, I wouldn't have an employer like Bonnie, and I'm very happy working for her family. Thank you very much. May God bless you, and more power to your business."

"Eva,

"I can't thank you enough. You are such a wonderful person, with a very kind heart. I'm very grateful that I met you."

"Eva,

"First I'd like to thank you a million times for giving me your helping hand in times of need. If it's not for you, I'll probably be wandering somewhere. You always will be remembered. God bless."

It goes on and on and on. I have pages of testimonials, and I think that says a lot. Word-of-mouth advertising is the best kind. That's from people who received the services, the caregivers working through legitimate agencies.

Just a couple of examples from families, because I think the member from Kitchener-Waterloo would also like to speak to this in a few minutes:

"Thank you so much for all your ongoing support. It is of tremendous value. I have recommended Select Nannies to six other people in the last year. You are becoming a very popular person within my circle of friends: highly motivated senior executive women who are having children later in life. Our caregiver is doing very well. We are thrilled with our selection and continue to appreciate her each day. In February she will be

applying for permanent residency and we hope she will continue on with us for many years to come. All the best."

"Hi, Eva,

"A note to let you know that we are overjoyed with"—I omit the name—"performance so far. Our son is smitten and the floor is cleaner than it has been in the history of the floor. Happy New Year."

"Thanks, Eva. Doris has been so fabulous. We are not sure how we ever managed without her. She has fit right in with our family. The boys adore her and she has quickly made friends that she spends her weekends with. Her reaction to her first snowfall was funny. We are taking her with us skiing next month. Life is great. Thanks again."

Once again, pages and pages of testimonials from families that have taken advantage of these legitimate businesses.

Unfortunately, as I say, as well-intentioned as the government may be, it seems they're more interested in the spin than in actually trying to get good legislation, so they've rushed the legislation through. They've time-allocated it, as just about every other bill has been time-allocated. They've neglected to listen to the groups that came before the committee; for example, Tax4Nanny, an accounting service that I think was recommending an online registry service and better paper trails that would assist caregivers to follow up on other steps in the process, in most cases, of wanting to become landed immigrants and moving on to full citizenship.

From those submissions, we made many different recommendations in the way of amendments at committee. Unfortunately, as has been almost always the case lately, the government voted down every single amendment and didn't bother to listen to the groups that came before the committee.

I will leave some time for other members in our party to speak to this bill. Just to say that I'm disappointed, because this is another example where the government is negatively affecting good businesses in the province of Ontario. It will affect jobs, it will affect families, and that's very unfortunate. So I will be voting against this bill.

The Deputy Speaker (Mr. Bruce Crozier): Further debate.

Ms. Cheri DiNovo: It's an honour to rise, and to rise on behalf of one of the more exploited groups in Ontario, and that is the live-in caregiver. Certainly, I can't imagine a more vulnerable group of workers. I mean, think about it. Imagine that you are a Filipino woman, and you just want to come to Canada, you want to establish yourself, get your citizenship, and send some money back home, which is the case for many, many foreign-trained live-in caregivers. So you go to a recruiter over there, and maybe over there or maybe here you're charged anywhere up to \$10,000. Now, imagine what \$10,000 means to somebody who earns money in the Philippines. So, immediately, you've invested most likely not only your entire life savings, but most of your family's as well

just to get you here. Then when you get here, you're placed in a household where, first of all, nobody knows where you are—that's vulnerability in and of itself. There's no licensing system, so nobody knows that you're even in the household, except perhaps the agency that recruited you overseas or maybe helped you over here. And quite frankly, as soon as the fee is paid, their obligation is fulfilled—they're gone.

So here you are. You don't know your rights. You don't know the Ontario employment standards. You don't know that you only need to work 40 hours a week. So you find yourself in, say, something like the Dhalla household, where you're not only worked over 40 hours a week, you have to shine shoes, clean floors and work in the chiropractic office, as well as take care of folk. Those are the lucky ones, quite frankly. Then there are those, and we heard deputations from such individuals, who are promised positions overseas, pay the \$10,000, come through the recruitment process here and find that there's no job, there's no job at all. So they're here stranded with no immigration status. Then, of course, they're subject to every vulture that's available.

We heard testimony from one young man which was truly hair-raising. What did he do? Again, he paid the \$10,000 to some recruiter overseas, came to Toronto and was told, "There's no job. Sorry." At that point, all of a sudden, the recruiter said, "Well, there might be something." You know, he shuffles through his papers and says, "Hey, you know, there's no job caregiving; they don't want a man"—again, breaking every employment standard rule in the book—"but there is drywalling. You can get a job drywalling underground and be paid less than minimum wage"—I think he was being paid \$7.30 an hour to drywall. Again, his immigration status is gone—he has none, at this point. These were the stories we heard, and we heard one after the other after the other.

Before I begin, I just want to highlight some of the folk who really did the work that went into this bill and, unfortunately, whose amendments we brought forward in the New Democratic Party that were one after the other voted down by this government. I am going to go through every single amendment that they wanted passed and every single amendment that this Liberal government voted down in recorded votes. Some of the members come from ridings where there are large Filipino communities: They voted these amendments down. I'm going to let you know which members those were, too.

First of all, Pura Velasco, the organizer for the Caregivers' Action Centre: a phenomenal woman, a woman to be commended. It was really her work that helped bring about this.

Parkdale Community Legal Services: I'm so proud that they're in my riding. Mary Gellatly came and testified about the horror stories they hear in their legal aid clinic.

We had the Workers' Action Centre and Deena Ladd, the coordinator there. Deena is a very familiar face around these parts—a phenomenal worker on behalf of workers.

Justicia for Migrant Workers: They came and talked about the other foreign workers that aren't covered at all by this bill—another amendment the government voted down. I'll speak about that in a minute, as well.

1720

The Caregiver Resource Centre gave really moving testimony about the folk they represent.

Filipino-Canadian Community House was profoundly moving on behalf of their members—just a few.

Also, we heard from CAW and some of the unions that made representations because, again, they're concerned about workers' rights.

To the amendments, and here's what's so sad, here's what's absolutely so crushingly depressing: These folk, who have been through so much already, been abused and exploited to the nth degree, who finally, they hoped, got the government's ear with Bill 210, who take the time to come and depute and suggest amendments, every single one of their suggestions was voted down by the government that need not have had deputations at all, because they didn't listen to anybody. They didn't heed any of those people who this bill is supposed to help—not one of their almost 20 amendments.

First of all, a very obvious amendment: Justicia for Migrant Workers, also Workers' Action Centre and all of the groups came and wanted this bill extended to cover foreign-trained workers in our province. Here was a golden opportunity for this government, this Minister of Labour, to actually act for all foreign-trained workers who are here, most of them with very dubious immigration status. That young man, for example, that I told you about, who came over being promised a caretaker's job and ended up doing drywall in the underground economy, will never ever see immigration status doing that. Remember, they have to work for two years here—two years—an extremely vulnerable situation, particularly where they have employers holding their passports and breaking every ESA standard in the book, very vulnerable workers who don't know their rights. This man who ended up doing drywall would not be covered by Bill 210, an obvious loophole, something we thought should be closed. CAW asked for it, Workers' Action asked for it, and many others asked for it. Every single Liberal voted against extending this bill to foreign-trained workers other than live-in caregivers. Those were amendments numbers 1 and 2.

Then we move along to licensing. Whoa, licensing. Imagine that, to ask a business to have a licence; that's revolutionary. I can't imagine it. A business have a licence? You know, before Mike Harris changed the rules for agencies—I know; I used to have one—everyone had to have a licence and had to be bonded, and you couldn't charge applicants any fees. Imagine that. Mike Harris came and changed all that. One would think the Liberals would act to undo what Mike Harris had done, but no, no. Just about every single deputant came and asked for the licensing of recruitment agencies and the posting of bonds. Even the recruitment agencies asked for the licensing of recruitment agencies. Deputants on both

sides of the issue asked for this one thing. Guess what? On recorded votes, every Liberal voted against licensing. My goodness. You pay a little money, you get a certificate, you hang it on your wall and you post a bond.

Mr. Rosario Marchese: And you know where people are.

Ms. Cheri DiNovo: We're coming to that. Mr. Marchese talks about knowing where people are, another amendment voted against. I'm getting to that.

Knowing where people are: In Manitoba for example, if you are an employer and you want a live-in caregiver, you have to be licensed. You have to register somewhere. Somebody has to know where you are and where the live-in caregiver is. Surely that is safety 101—surely. How can this bill even have impact if we don't know where the live-in caregivers are? Imagine the vulnerability. Here you have a person, far from their own home, far from their own land, who doesn't know the rules of this land, totally at the mercy of their employer, in their employer's house. I cannot imagine a more vulnerable situation. Can you, member from Trinity-Spadina?

Mr. Rosario Marchese: No.

Ms. Cheri DiNovo: He can't either. Neither can the caregivers.

They have it in Manitoba. Did we get it here? No, we did not, even though it was asked for by all the deputants on behalf of the caregivers who came forward demanding that amendment. When I was briefed by government staff, they said, "There are too many in Ontario. We couldn't keep track." I thought we lived in the age of computers. How difficult is it to keep track of the number of foreign-trained caregivers who come here? The federal government does, presumably. Why can't we? We can't. It's too much work. It's too difficult to really look after the safety of live-in caregivers.

Moving right along: liability, my friends. We asked, and so did every deputant who came on behalf of live-in caregivers, for joint and several liability, including employers. Why? Because the gist of Bill 210 is to be able to collect the now hopefully illegal fees charged to nannies when they come. Right? The question is, how do you collect such fees? Well, guess what? If the recruitment agency is overseas, if recruitment agency 12345 Ltd. goes out of business as soon as a claim comes against it—believe me, the fly-by-night agencies will; remember, they're not licensed and they're not bonded, so they will be gone before they pay any liability claim—how does the caregiver collect? Unless they can go after the employer, there's nobody left. They're the only ones left. That's why it's so critical.

In fact, we heard it from some of the legitimate recruiters, and I'll talk about them in a minute. They said, "You know, this will just drive business overseas. It will drive business underground and overseas." Well, guess what? That business that is driven overseas and underground is gone the minute any liability claim happens against them. In fact, how would we even collect? How would the live-in caregiver even collect if the agency is in the Philippines or in Hong Kong or somewhere else?

There's no way we have of collecting that money. This bill does not address that. Liberals, again, voted against it to a person, a recorded vote. By the way, every person who comes from that community—and I'm talking here mainly and mostly Filipino because mainly and mostly the live-in caregivers are Filipino in this town—I really challenge you, watch where your member voted on these issues. Hold your member's feet to the fire. Look at those recorded votes and really think about that come 2011.

What else?

Mr. Rosario Marchese: I've got to vote for this bill? Come on.

Ms. Cheri DiNovo: Exactly. It's sad. It truly is sad. A simple amendment—here's how political and not compassionate this government is. They even voted against an amendment suggested by one of the recruitment agencies—a couple of them, actually—that employers be forced to keep records. Whoa. That's revolutionary. Keep records of hours, vacation pay, pay, things that you remit for taxes.

Hon. Peter Fonseca: That's in the legislation.

Ms. Cheri DiNovo: No, it's not specifically in the legislation. The Minister of Labour says it's in the legislation and I say no, it's not. He thinks it's covered. It's not.

Hon. Peter Fonseca: It is.

Ms. Cheri DiNovo: It's not. Anyway, we can talk about it.

Mr. Rosario Marchese: But even if he thinks it's redundant, he could have supported it.

Ms. Cheri DiNovo: No, it's too political. To support any amendments suggested by the caregivers or the organizations representing them is too political.

The really sad aspect of this is that here was a moment in time that's not going to come again very soon. Like the bill that we just heard our leader, Andrea Horwath, speak about, Bill 168, here is another instance where we opened up an act to make a difference. We could have done it right. We could have done it in a way that would have protected Ruby Dhalla's nannies. We could have done it in a way that would protect all caregivers across Ontario, but we did not.

Another amendment voted down that would have corrected an egregious situation was the length of time a nanny has to actually get redress by this government or by the Ministry of Labour. Well, guess what? This bill says three and a half years. Employment standards doesn't, though. And guess what? Employment standards legislation problems are also covered here. So you're saying to a nanny that you can get her fee back, maybe—maybe. It's chancy—not looking good to get your fee back. But at least there's the opportunity to get your fee back for a number of years.

1730

But you want to complain against your employer for employment standards grievances?

Mr. Rosario Marchese: Good luck.

Ms. Cheri DiNovo: Good luck. You're out of luck. You are out of luck. And judging by the number of

places of employment that are ever inspected—1% in Ontario—I don't think people will be knocking on your door or my door any time soon if we have a live-in caregiver. I don't think that's going to happen any time soon.

This isn't even touching—this is the sad reality—the problems with employment standards. This is simply looking at the most exploited, most vulnerable sector of our workforce and just trying to allow them to do something.

I'm not even going to talk about the fact that nannies aren't allowed to unionize. They're not allowed to—by law. The most vulnerable sector not allowed to unionize—by law. That in itself should make us think twice—the most vulnerable sector. What did the government tell us when I asked them about that? They said, “Oh, well, they're isolated.” That's what I got: “They're isolated.” Please. That's why they need to unionize: They're isolated.

You've got the groups already. We've got Caregivers' Action Centre; we've got the Filipino-Canadian community. Any of these groups could act as an organizing vehicle. In fact, I know that there are some unions that are trying to organize nannies and would love to organize nannies. But, “No, no, no, they're too isolated.” In fact, the government is saying they're too vulnerable, too exploited, too isolated, so they don't need a union.

The sad reality of Pura and all those who have worked so hard is that again we have a typical Liberal bill. It promises a lot and it delivers not much. Right? Not much. You ask for a mile and you get a centimetre—you get a centimetre.

I'm so tired of saying that in this House; I can't tell you. I'm tired of saying that. Are you tired of saying this? Don't you wish that just once they would listen—this is the operative word here, “listen”—to the stakeholders, listen to the deputants. Why do we have deputations if you don't listen to the deputants? Just once, listen to the deputants.

Quite frankly, we, the New Democratic Party, did not bring these amendments forward because we thought they were cute or we wanted to look good in front of the cameras—no cameras, by the way. We brought these forward because these were amendments suggested by the stakeholders, by the deputants, by those most-vulnerable people affected by this bill. That's why we brought them forward.

Just like in Bill 168, “No. No. No. No. No,” say the Liberals to Pura Velasco; say the Liberals to the Workers' Action Centre; say the Liberals to Justicia for Migrant Workers; say the Liberals to Parkdale Community Legal Services; say the Liberals to the CAW. They said no to the CAW. They say no to them all. “You're too isolated. Sorry, you can't form a union. You're too isolated, too vulnerable. Sorry, we won't uphold your employment standards rules and regulations. You're too vulnerable, too isolated. Sorry, we won't make your employer liable for your fee.”

By the way, just in the couple of minutes I've got left, the recruiters complaining about not being able to charge

fees to applicants: Please, please, please. Crocodile tears. My goodness, a family cannot come up with \$6,000 to hire a live-in caregiver? Then you can't afford to have one. End of story. You can't afford to have one. And many can't. Why? Because the bigger story behind this is that we have no child care in the province of Ontario—we have no child care. That's why we're even discussing this bill. If we had quality, affordable child care, parents wouldn't be driven to use these recruitment agencies to find these nannies. That wouldn't be the case. They are, it is, and unfortunately here we are talking about Bill 210.

All I can ask, all I can hope for is that despite this bill, despite what this bill could have been to defend nannies and foreign-trained workers in this province—despite all that, we, with hung heads, with exhaustion over here in the New Democratic Party, will vote yet again for yet another substandard Liberal bill that could have been so much more and should have been so much more.

The final question I'll leave with the government, because I'm just interested and I've been asked by the caregivers' associations, is, what's happening with the Ruby Dhalla case anyway? Isn't this Minister of Labour supposed to be investigating that? I'd like to know what the answer is. Where are they at with those two nannies?

Will we support this bill? Yes, we will. Are we happy about this bill? No, we're not. No, we're not, because it does not satisfy any of the deputants and in particular does not satisfy the deputants who needed it most: the most vulnerable workers in Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Vic Dhillon: It's a pleasure to rise and speak on the occasion of this bill's third reading.

Before I begin, I want to thank Cara O'Hagan, of the Ministry of Labour, for all her hard work in putting this bill together and leading it through the consultations as well as the committee hearings.

This legislation will make a real difference to vulnerable employees facing real and difficult circumstances. It will protect those in our province who have been subject to abuse and exploitation.

We recognize that protection for these vulnerable employees requires more than just a complaints process; it will rely on strong and proactive enforcement. The bill would have new enforcement provisions that would allow employment standards officers to require parties to attend fact-finding meetings on the basis of tips, without waiting for a complaint to come forward.

The bill also has provisions that would allow employment standards officers to use search warrants more effectively. In particular, employment standards officers could apply to a justice of the peace for a search warrant that would allow the officers to obtain passports or other personal documents that may have obtained illegally.

I want to clarify something, and that is that the inspection and investigation powers in this act mirror the powers set out in the Employment Standards Act, 2000. Under the ESA, an employment standards officer would

not be able to enter and inspect a dwelling without a search warrant or the consent of the occupier.

The Ministry of Labour would continue education and outreach activities to assist foreign live-in caregivers. As I have said, the ministry would also conduct proactive enforcement. We would not wait for complaints to go after rogue recruiters.

This bill will help protect some of the most vulnerable employees in this province. It comes out of this government's commitment to help those in Ontario who need and deserve our protection. It shows caring for those people who spend their work life caring for others, for our loved ones.

I again thank all of those who gave input as well as the inspiration into the creation of this legislation. This is simply the right thing to do.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? There being none—oh, I'm sorry. The member for Kitchener–Waterloo.

Mrs. Elizabeth Witmer: I just want to add a few points to the record. The member from Parry Sound–Muskoka has represented the views of our party extremely well in speaking to the bill, Bill 210, the Employment Protection for Foreign Nationals Act. We really do agree that it is necessary to put in place some protections and some oversight in the area of these nannies.

However, we believe that the government has once again taken an issue and not allowed sufficient debate and sufficient discussion. As a result, we have a bill that unfortunately is going to harm the legitimate businesses in this province that are going to be very negatively impacted by the legislation, and we're going to see some of these businesses going out of business, I guess is the bottom line.

I'm not sure what has happened to the government this fall. But they seem to have seized upon an issue, I think in this case because of what happened in the Brampton community, and they have not done the due diligence required to take a look at the scope of the issue and identified some of the improvements that need to be made. They have been very hasty. Despite the fact that they had some public hearings, they refused to adopt any of the amendments that were proposed by the opposition, and I think that is regrettable.

1740

I'm not sure why this government is rushing through with legislation this fall. If you're going to pass legislation, take the time to get it right. If you're going to hold public hearings, at least have the courtesy to recognize that the people who are appearing before you might have some good ideas, and at the end of the day, maybe you want to consider some of the amendments that are being introduced by the opposition, which reflect the input of the people who have appeared before the committee. This government chose not to do so.

As a result, this bill is extremely flawed, which is regrettable. As I say, it's going to hurt the good, legitimate agencies. The ones that are scamming the public right now will continue to operate, and there'll be no improvement in the situation of foreign live-in caregivers.

This is the type of amendment that was introduced and rejected: an amendment to add in section 11 that "A person who employs a foreign national as a live-in caregiver or in other prescribed employment shall comply with the Employment Standards Act, 2000." Why would you reject that amendment?

Another one would require the licensing of foreign caregiver agencies. Why would you reject that? That affords protection to the parties. Again, they rejected the licensing initiative altogether. And the list goes on and on.

Here's another one. This was for the registry of employers. The amendment said, "The director of employment standards shall maintain a public registry of persons who employ a foreign national as a live-in caregiver or in other prescribed employment, and the registry shall contain the information required by the regulations."

I just find it unbelievable that this government, all this fall session, has chosen to time-allocate bills, has not been responsive to the concerns that have been brought forward by people who appeared in front of the committee—or people who didn't appear simply because there was not enough time but did submit written submissions. This government, all fall, has simply rejected any other point of view. They seem to be very anxious to get out of here. Maybe they want to avoid more debate on the HST or the eHealth scandal.

Regrettably, this bill is not one we can support.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Pursuant to the order of the House dated November 26, 2009, I'm now required to put the question.

Mr. Fonseca has moved third reading of Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1744 to 1749.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Fonseca has moved third reading of Bill 210. All those in favour will please stand one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Hoskins, Eric	Naqvi, Yasir
Arthurs, Wayne	Jaczek, Helena	Oraziotti, David
Balkissoon, Bas	Jeffrey, Linda	Pendergast, Leeanna
Berardinetti, Lorenzo	Johnson, Rick	Phillips, Gerry
Bisson, Gilles	Lalonde, Jean-Marc	Prue, Michael
Broten, Laurel C.	Leal, Jeff	Ramal, Khalil
Brown, Michael A.	Levac, Dave	Rinaldi, Lou
Colle, Mike	Mangat, Amrit	Ruprecht, Tony
Dhillon, Vic	Marchese, Rosario	Sandals, Liz
Dickson, Joe	Mauro, Bill	Sergio, Mario
DiNovo, Cheri	McMeekin, Ted	Smith, Monique
Duguid, Brad	McNeely, Phil	Sousa, Charles
Flynn, Kevin Daniel	Miller, Paul	Tabuns, Peter
Fonseca, Peter	Milloy, John	Van Bommel, Maria
Hampton, Howard	Mitchell, Carol	Wilkinson, John
Horwath, Andrea	Moridi, Reza	Zimmer, David

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

Nays

Arnott, Ted
Chudleigh, Ted
Dunlop, Garfield
Elliott, Christine
Hardeman, Ernie

Jones, Sylvia
Martiniuk, Gerry
Miller, Norm
Munro, Julia
O'Toole, John

Savoline, Joyce
Witmer, Elizabeth
Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller):
The ayes are 48; the nays are 13.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Be it resolved that the bill do now pass and the bill be named as in the motion.

Third reading agreed to.

Hon. Brad Duguid: I move adjournment of the House.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Duguid has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

The House is adjourned until 9 of the clock Thursday morning.

The House adjourned at 1752.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
Brotten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB)	St. Paul's	
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Consumer Services / Ministre des Services aux consommateurs
McNeely, Phil (LIB)	Ottawa–Orléans	
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Continued from back cover

Heritage conservation

Mr. Ted Arnott	9174
Hon. M. Aileen Carroll	9174

Skills training

Mr. Howard Hampton	9174
Hon. John Milloy	9175

Visitors

Mr. Lou Rinaldi.....	9175
----------------------	------

DEFERRED VOTES / VOTES DIFFÉRÉS

Concurrence in supply

Motion agreed to	9176
------------------------	------

Visitor

Mr. Gilles Bisson	9176
-------------------------	------

Concurrence in supply

Motions agreed to.....	9176
------------------------	------

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Khalil Ramal	9176
------------------------	------

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Matthew Morison

Mr. John O'Toole.....	9176
-----------------------	------

Kettleby Fair

Ms. Helena Jaczek.....	9177
------------------------	------

Season's greetings

Mr. Jerry J. Ouellette.....	9177
-----------------------------	------

Mohibul Islam and Shamima Jesmin

Mr. Lorenzo Berardinetti	9177
--------------------------------	------

Assistance to farmers

Mr. Ernie Hardeman.....	9177
-------------------------	------

Tibet

Ms. Cheri DiNovo.....	9178
-----------------------	------

Infrastructure program funding

Mr. Jean-Marc Lalonde.....	9178
----------------------------	------

Threshold School of Building

Ms. Sophia Aggelonitis.....	9178
-----------------------------	------

General Motors of Canada

Mr. Joe Dickson	9178
-----------------------	------

Visitors

The Speaker (Hon. Steve Peters).....	9179
--------------------------------------	------

REPORTS BY COMMITTEES / RAPPORTS DES COMITÉS

Standing Committee on Regulations and Private Bills

Mr. Michael Prue	9179
Report adopted	9179

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

Pension Benefits Amendment Act, 2009, Bill 236, Mr. Duncan / Loi de 2009 modifiant la Loi sur les régimes de retraite, projet de loi 236, M. Duncan	
First reading agreed to.....	9179

Sustainable Water and Waste Water Systems Improvement and Maintenance Act, 2009, Bill 237, Mr. Caplan / Loi de 2009 sur la viabilité et l'amélioration des réseaux d'approvisionnement en eau et d'eaux usées, projet de loi 237, M. Caplan	
First reading agreed to.....	9179
Mr. David Caplan.....	9179

STATEMENTS BY THE MINISTRY AND RESPONSES / DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Pension plans / Régimes de retraite

Hon. Dwight Duncan.....	9179
Mr. Norm Miller.....	9180
Mr. Paul Miller.....	9181

PETITIONS / PÉTITIONS

Taxation

Mr. Norm Miller.....	9182
----------------------	------

Electronic health information

Mrs. Joyce Savoline	9182
---------------------------	------

Taxation

Mr. Garfield Dunlop.....	9182
--------------------------	------

Taxation

Mrs. Julia Munro.....	9183
-----------------------	------

Taxation

Mr. Robert W. Runciman.....	9183
-----------------------------	------

Taxation

Mr. Ted Chudleigh.....	9183
------------------------	------

Taxation

Mr. John Yakabuski	9183
--------------------------	------

Public transit

Mr. Mike Colle.....	9183
---------------------	------

Taxation	
Mr. Jerry J. Ouellette	9184
Taxation	
Mr. Ted Arnott.....	9184
Taxation	
Mr. Paul Miller	9184
Hospital services	
Mr. Ted Chudleigh	9184
Hospital funding	
Mr. Norm Miller	9184
Driver licences	
Mr. Robert W. Runciman	9185
Driver licences	
Mr. John Yakabuski.....	9185
School transportation	
Mr. John Yakabuski.....	9185

ORDERS OF THE DAY / ORDRE DU JOUR

Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace), 2009, Bill 168, Mr. Fonseca / Loi de 2009 modifiant la Loi sur la santé et la sécurité au travail (violence et harcèlement au travail), projet de loi 168, M. Fonseca	
Hon. Peter Fonseca	9185
Mr. John Yakabuski.....	9186
Ms. Andrea Horwath	9188
Mr. Vic Dhillon	9190
Mr. John O'Toole	9191
Third reading agreed to.....	9193
Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others), 2009, Bill 210, Mr. Fonseca / Loi de 2009 sur la protection des étrangers dans le cadre de l'emploi (aides familiaux et autres), projet de loi 210, M. Fonseca	
Hon. Peter Fonseca	9193
Mr. Norm Miller.....	9194
Ms. Cheri DiNovo	9196
Mr. Vic Dhillon	9199
Mrs. Elizabeth Witmer.....	9200
Third reading agreed to.....	9201

CONTENTS / TABLE DES MATIÈRES

Wednesday 9 December 2009 / Mercredi 9 décembre 2009

ORDERS OF THE DAY / ORDRE DU JOUR

Ontario Tax Plan for More Jobs and Growth Act, 2009, Bill 218, Mr. Duncan / Loi de 2009 sur le plan fiscal de l'Ontario pour accroître l'emploi et la croissance, projet de loi 218, M. Duncan

Hon. Dwight Duncan	9153
Ms. Lisa MacLeod	9155
Mr. Peter Tabuns	9156
Hon. Monique M. Smith	9157
Mr. Norm Miller	9157
Ms. Andrea Horwath	9159
Mr. Wayne Arthurs	9161
Third reading agreed to	9162

Ontario Labour Mobility Act, 2009, Bill 175, Mr. Milloy / Loi ontarienne de 2009 sur la mobilité de la main-d'œuvre, projet de loi 175, M. Milloy

Third reading agreed to	9163
-------------------------------	------

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Rick Johnson	9163
Hon. Kathleen O. Wynne	9163
Mr. John O'Toole	9163
Hon. Peter Fonseca	9163
Hon. John Wilkinson	9163
Hon. Deborah Matthews	9163
Mr. Yasir Naqvi	9163
The Speaker (Hon. Steve Peters)	9163
Mr. Frank Klees	9163

Committee witnesses

The Speaker (Hon. Steve Peters)	9163
---------------------------------------	------

Voting

The Speaker (Hon. Steve Peters)	9164
Mr. Norman W. Sterling	9165

Wearing of mittens

Hon. Monique M. Smith	9165
The Speaker (Hon. Steve Peters)	9165
Mr. Jean-Marc Lalonde	9165
Ms. Lisa MacLeod	9165

ORAL QUESTIONS / QUESTIONS ORALES

Ontario economy

Mr. Tim Hudak	9166
Hon. Dwight Duncan	9166

Government's record

Mr. Tim Hudak	9166
Hon. Dwight Duncan	9166

Taxation

Ms. Andrea Horwath	9167
Hon. Dwight Duncan	9167

Taxation

Ms. Andrea Horwath	9168
Hon. Dwight Duncan	9168

Taxation

Mr. Tim Hudak	9169
Hon. Dwight Duncan	9169

Driver examination centres

Mr. Peter Tabuns	9170
Hon. James J. Bradley	9170

Green power generation

Ms. Leeanna Pendergast	9170
Hon. Gerry Phillips	9170

Transportation infrastructure

Mr. Frank Klees	9171
Hon. James J. Bradley	9171

Government appointments

Mr. Paul Miller	9171
Hon. Monique M. Smith	9171

Language training

Mr. Reza Moridi	9172
Hon. Michael Chan	9172

Taxi operators

Mrs. Joyce Savoline	9172
Hon. Jim Watson	9172

Hydro rates

Ms. Andrea Horwath	9173
Hon. Gerry Phillips	9173

Forest industry

Mr. David Ramsay	9173
Hon. Michael Gravelle	9174

Continued on inside back cover



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Jeudi 10 décembre 2009



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 10 December 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 10 décembre 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Season's greetings from Speaker Claus and company. Thank you to my elves.

Please remain standing for the Lord's Prayer, followed by the aboriginal prayer.

Prayers.

ORDERS OF THE DAY

ENERGY CONSUMER PROTECTION ACT, 2009

LOI DE 2009 SUR LA PROTECTION DES CONSOMMATEURS D'ÉNERGIE

Mr. Phillips moved second reading of the following bill:

Bill 235, An Act to enact the Energy Consumer Protection Act, 2009 and to amend other Acts / Projet de loi 235, Loi édictant la Loi de 2009 sur la protection des consommateurs d'énergie et modifiant d'autres lois.

The Speaker (Hon. Steve Peters): Debate?

Hon. Gerry Phillips: I should inform the House that I plan to share my time with the member from Ancaster–Dundas–Flamborough–Westdale, my good friend the Minister of Consumer Services.

I look forward to the debate here on the bill and I look forward to it no doubt going to committee. I think it's fair to say that this is a bill that has the interest of every member in the Legislature.

For the public's knowledge, it deals really with three areas. The one that I found has the most public interest is dealing with what are called energy retailers. These are companies that sell contracts for natural gas or contracts for electricity. The second part of the bill deals with what we call sub-metering in multiresidential buildings, which means allowing tenants in a multiresidential rental building to have electricity metered for their own apartment and paid separately. We deal with that issue. And thirdly, the issue around setting some standards on when utilities can require security deposits and what we call disconnect policies, when they can turn off the electricity or the gas.

As I say, I think every member in the Legislature—I think I probably heard from every member of our caucus on this bill, and I think that's probably true for the opposition as well. This is an area that we get a lot of comments from our constituents on, and this bill is designed

to address the issues that each of the members are dealing with.

I want to thank my colleague from Timiskaming–Cochrane, Dave Ramsay. The member started working on this a couple of years ago, really; he had a private member's bill that highlighted the issue. So he has been among the leaders here, and I want to thank him. He deserves a lot of credit for where we stand now, although I would say he's not alone in terms of this being an important issue for us in the Legislature to deal with.

It's very important that the public have clear rules of conduct when they're dealing with these retailers, that they have a right to expect honest, straightforward business practices. They have a right to expect that when abuses occur they will be dealt with severely. There is an obligation for us to create an environment where business can operate, but equally where consumers are treated fairly. I believe this legislation strikes that balance.

I look forward to the debate here. I look forward to suggestions on improvements, because at the end of the day, as they say, I'm determined that the consumer will have the appropriate level of confidence, that they understand what they are dealing with and they are making an informed decision in the proper environment. The legislation firstly deals with making sure the consumer has every opportunity to understand the offer they are being presented with; I'll talk in some more detail about that later. But it's fair to say that understanding the electricity market is not easy. We have to make it easy for people to understand what they're buying. We have to make sure that the retailers understand they've got a clear obligation to present their offers clearly and fairly.

Not everybody may be aware, but these fixed energy contracts have been around for some time. Maybe the best analogy I can give is that these fixed energy contracts are sort of like buying a fixed-rate mortgage. You know how most of us have a debate about whether we want a variable or a fixed-rate mortgage. These contracts essentially allow consumers to buy at a fixed rate. Typically, our utilities have a variable rate; the electricity price changes over time.

The contracts in gas have been around since 1997, so a little more than 10 years. In 2002, the same business model was introduced here in Ontario for electricity, where consumers can buy at a fixed rate over a fixed period of time. So it has been around for some time, and a considerable number of people have signed up for them. However—we're all aware of this, I believe—the Ontario Energy Board, which has the responsibility for regulating these retailers, gets between 100 and 150

consumer complaints every week about energy retailers. Over the past three years—and my colleague the Minister of Consumer Services would tell us—typically this issue ends up in the top 10 of the consumer grievances that he deals with. So there's a clear need to act, and we are acting with this legislation. The act contains measures to ensure that legitimate businesses are permitted and illegitimate behaviours are subject to severe crackdown. So, that's the energy retailing side, and I'll get into a little more detail in a moment.

The second part of it is that it strengthens the protection for residents of multi-unit rental residential buildings where suite metering is in place or being introduced. What this means is that we're anxious in this province, working very hard on energy conservation, trying to find ways for people to use less electricity, less natural gas, less gasoline in their cars; wherever we can cut down on energy use, we're anxious to do that.

0910

Experience has shown that in a rental apartment, the use of electricity drops by 20% to 25% if you are paying for your own electricity. It kind of makes sense that if you turn up the heat a little too much or you are over-using your air conditioner, you would recognize that and you'd see that if you cut that down, you would save money. We are determined to move to helping people in this province make those informed decisions. We are moving to something we call smart metering across the province, which allows people to have what's called time-of-use pricing, where the price of electricity is less in off-peak hours, so we can get people to use it then and we require fewer electricity generating plants.

It's a good idea for people to have the ability to control their own electricity use. However, in existing buildings it's equally important that tenants have some protection against the sort of arbitrary use of this. I think we are striking that balance—and I'll get into more detail later—when a building is going to be suite metered: Individual tenants will have the choice either to go on individual billing or to stay where they are. I think that protects the rights of existing tenants, ensures transparency and will help us along the way to this culture of conservation we often talk about.

The third area of this piece of legislation clarifies circumstances for consumer security deposits and disconnections. We want to make sure there's a standard in this across the province. Businesses have the freedom to require security deposits when warranted. We want to make sure that when the service is left unpaid for an extended period of time, disconnection is a reasonable response, but there should be objective and standard practices guiding such measures, particularly ensuring fair treatment of consumers who are vulnerable, such as those for whom energy disconnections are not an option: individuals with particular health or income challenges.

I'll go now to talking in some detail about the part of the legislation that deals with energy retailers. The first part ends what I call unfair consumer practices. I get a lot of comments, not just from members of the Legislature

but from other people, about the practices of door-to-door salespeople. There is a concern that they don't, in all cases, identify who they are, or if they say who they are, they are misleading. In fact, we've had instances where people look like they're from the government—they have a trillium logo that they're carrying around—and the consumer doesn't know who they're dealing with. They will essentially leave the impression that they have the right to look at your bill and whatnot.

We have to find a way that door-to-door salespeople are properly regulated; that when they appear at the door they are clearly identified—this legislation calls for that—and that you know you are not dealing with your local utility and you are not dealing with the government of Ontario but you are dealing with a particular company. They will be required to make an oral disclosure of who they are.

Importantly, we will ensure that the companies are held accountable for their salespeople. The salespeople must be licensed. That is not the case right now; the retailers are licensed but not the salespeople. The companies are going to be held accountable for behaviour at the door. Too often we've heard examples where the company will say, "Well, that salesperson certainly wasn't following company orders. We'll get rid of them." Often these people are contract employees; essentially, they are commissioned salespeople.

I believe the legislation gives us the tools to ensure that door-to-door salespeople practise fair consumer practices. This will be the subject of some debate. There is the concern: Can we hold them accountable? I believe we can, particularly with the part of the legislation that holds the companies and the directors responsible for the actions of their salespeople at the door. That's a very important part of this legislation: All of us will have to be satisfied that this legislation will be able to hold those door-to-door salespeople accountable. I would also add that the legislation applies to online sales and phone sales. But we seem to have the highest number of complaints door to door.

The second part of the legislation—and this is crucial for me—is to make sure that people have the information to make an informed decision when they are being asked to sign a contract. Essentially, as I said in my earlier remarks, what the consumer is buying is a fixed price over a period of time. That essentially is what it is. The company will say, "We will sell you electricity for this rate over this period of time," three or four years. But there has to be a way, and there will be a way, and the legislation contemplates having a way, that people have a clear understanding of what that is.

We have another sub-issue that we are dealing with and must deal with in this, and that's called the provincial benefit or the global adjustment. That's jargon for—the electricity price has two elements in it. It's very confusing to the consumer. We have to fix that in here, and we have to fix it in the non-retail area as well. It's very difficult for the consumer to understand. But I'm determined that people will understand what they're buying.

I will say that I looked at what British Columbia does in the natural gas area, and there it's crystal clear. They simply say, "Here's the price you're paying for a measurement of natural gas," and then, "These companies are offering a one-year, a three-year, or a five-year fixed rate on natural gas at this." It gives the consumer essentially the same information you have when you're making a decision on a mortgage, where you can understand: Is it variable or fixed, over what period of time, and what's the interest rate?

We have to find a way, and we will, and the legislation gives us the opportunity to do that, so that when the consumer is being asked to sign the contract, they will understand, firstly, who they're dealing with, that it's not the utility; it's a company. They'll understand, if they don't sign it, the consequences. The consequences are, you stay with what you're doing. So I would stay with my local utility.

Then, the third part of it is to understand what they're buying and how it compares to what they've been paying. Part of it, by the way, is that the contracts will be text-based. So even if you're dealing on the phone, before the contract is valid you have to sign a hard copy of it.

A piece of legislation where there's still flexibility—well, there's flexibility everywhere, because we're going to amend it, but where we will be looking for advice in the committee is, who is authorized to sign the contract? There are essentially only going to be two choices. Is it the account holder, or the account holder and spouse? There's a debate around that. But we are going to dramatically narrow who can sign the contract, so that we don't find inappropriate people signing the contract.

The third part of dealing with the concerns of the consumer is the feeling that you've been pressured into signing. You're often dealing with an expert salesperson at the door, and somehow or other you sign the contract. The legislation contemplates three opportunities for sober second thought. One is a 10-day cooling-off period, where you can just unilaterally not do it; cancel it.

Then, between 10 days and 60 days after you've signed the contract, we will have what is called third party verification. What this means is that the Ontario Energy Board, which has a responsibility for regulating this, will prepare a list of companies capable of doing this third party verification. One of the criteria would also be being able to do it in several languages, as appropriate. The retailer has to select, off that list, the company to do the verification, and they will do it from a prescribed script so that the consumer should feel confident that the companies that are doing this, selected by the Ontario Energy Board and monitored by the Ontario Energy Board, are not working for the retailer but are working on behalf of the public.

The third cooling-off period is that 30 days after you get your first bill, you can cancel it. This is the third area that we get a lot of comment on—"I didn't know what I was signing" etc.—and this will deal with that.

0920

The next area is unfair cancellation policies. Right now, natural gas contracts have an automatic renewal

provision, which we are going to remove, but we're going to also deal with some of the practices that go on. I think many of us have found examples where a cheque is sent to a consumer, and they cash it, not being aware that a condition of cashing it is that you are renewing your contract. Well, we're going to deal with that, and that will not be acceptable.

We're going to prevent excessive fees and remove the fees altogether if you move into a rental building where you couldn't possibly use the contract. Strangely enough, actually, there are a lot of examples where people have signed two contracts. It's hard to believe, and we'll deal with that where the first contract is the one and the second wouldn't be.

The next problem I want to talk about is accountability—and I touched on this a little bit earlier—holding the companies accountable for the salespeople going to the door. We're going to require additional licensing conditions, including background checks. If you want to volunteer to be an assistant hockey coach, you need a background check. It seems to us that for somebody selling fairly expensive contracts door to door, the same sort of standards should apply. So we're determined to find the mechanisms to make sure that people who are selling door to door are accountable and monitored and the company is held responsible.

The last point I'd make on the retailer is to ensure that, as I said earlier, all costs are disclosed. We still have what's called a provincial benefit or a global adjustment that we must deal with so that consumers understand that when they are buying this product, everything is in on it.

My belief is that this legislation will deal with the major issues that we get on a daily basis. As I say, I look forward to the debate here and to suggestions from the Legislature at second reading and then input at the committee. I repeat: It's an issue of intense interest to virtually every member of the Legislature.

The second one I want to talk about is what's called suite metering. I mentioned earlier that the purpose of it is to find ways that people can conserve energy. This is pretty important to all of us. We have, in this province, quite substantial peaks in daily usage. You get, particularly in warm weather—in the province, our biggest-use days are the hot summer days. At one time, it was the cold winter days; now it's the hot summer days. You get these peaks through the day. If we can find a way to lower those peaks by 10% or 15%—because, obviously, you have to generate electricity for the peak—you need 10% or 15% less generation in the province, because many of these things run 24 hours a day, but you've got to have what's called peaking power.

So it's in all of our interests to find ways to conserve energy. That's what this suite metering is about: finding ways that people can control their own energy use and benefit from it. So the solution is that in all new residential buildings it will be mandatory to have individual suite metering. That makes sense to everyone, I think.

But in existing buildings, whether you move on to suite metering or not will be voluntary, and that's designed to give us an opportunity to phase this in. The

problem right now is that there aren't good rules for individual billing in rental buildings. The proposed solutions in the legislation are to:

- require consent from sitting tenants;
- require the landlords to adjust the amount of rent paid to offset the electricity cost that would have been billed to the tenant; and
- give prospective new tenants the necessary information when they move in, because when they move in, they will be on their own suite meter.

Another problem is that the companies that actually install the metering—the individual apartment metering—are not subject to the same rules as the local distributing company. Here in Toronto our local distributing company is Toronto Hydro. They have firm rules from the Ontario Energy Board about individual or suite metering. But private companies can also do it without the same rules, and we are going to have the same rules for them as for the local distributing company. Why is that important? It's important that fees be regulated. It's important that there's confidence in the suite metering company, and that renters who are anxious about getting on individual metering are not inappropriately taken advantage of.

Another challenge is to make sure tenants don't move onto individual metering in highly inefficient buildings. We're going to require certain standards around the appliances in the individual-meter situations.

The last thing I'd touch on is the consumer security deposit and disconnects. There's quite a variety of rules around this across the province. The proposed solution here is that the OEB would regulate disconnection security deposits for both electricity and gas companies and look at alternatives to deposits, requiring specific standards for disconnects for vulnerable consumers, and requiring utilities to accept payment of security deposits over time. So it will give us an opportunity to have some standards around disconnects.

Back to what I find tends to be the main element of this piece of legislation, and that is, finding ways to regulate electricity and gas retailers. As I've said several times now—I've been the minister for four weeks and three days, but it has been a subject that many of my caucus and many of the opposition have talked to me about. It's one that we have to solve.

It is not a small purchase for people to make. It is not currently easy for people to understand, so I'm determined that this legislation—amended, if there are good ideas—will solve these problems. Problem number one is inappropriate pressure at the door, and maybe on the phone as well. When somebody knocks on your door, you will know who you're dealing with. They will be required to disclose who you're dealing with; you will be able to identify who you're dealing with. And importantly, we will find a way to hold the companies accountable for that. It no longer will be acceptable to say, "Well, they certainly weren't operating under our guidelines."

0930

The second part of it—and this is crucial—is that when people are being offered this contract, they clearly under-

stand what they're buying. Right now, I dare say, many don't. Certainly, experience in my constituency office and in my colleague from Peterborough's constituency office is that we run into cases where people say, "I didn't know what I was buying." We probably all have family who have been involved in it, either not knowing what they're buying or being unable to find any way out of it.

We are determined to ensure that people understand what they're buying. To retailers who may say, "Well, it's pretty onerous on us to spell that out in all that detail and all that clarity," I'd say, "If the product you're selling doesn't stand up to the full light of disclosure, where people have complete understanding of what they're buying, then maybe the product has difficulty in being a sale." To me, almost the cornerstone of this is consumers understanding exactly what they're purchasing in a good price comparison. I looked at what is going on in BC with natural gas retailers, and that's the case.

The cooling-off period: Consumers have a chance for a little bit of sober second thought. That's why there's the 10-day cooling off period, which by the way is standard in a lot of other consumer legislation, I believe, very standard. Then there's what we call third party validation, where a company selected, screened and agreed upon by the Ontario Energy Board makes that call to people and they understand exactly what they have signed on for, and then a last opportunity once you get your bill. That, I believe, will be very helpful in weeding out inappropriate practices. As I say, I'm satisfied that this legislation will tackle those problems, and they have to.

On suite metering, individual metering: It's part of our plan to help people conserve energy. I mentioned before that we are moving to something called smart metering across the province; the public may have heard of that. Currently, or in the past, there was no capability to sort of measure your electricity use by hour. First, it was difficult for you to find a way to manage your own energy use. Secondly, there was no way that the utility could charge a different price depending on the time of day. I just say again that if we can find ways to shift the use of electricity off those peaks, it is very beneficial to our electricity system, because you don't have to build electricity capacity to those high peaks.

What we're trying to do, and what we are doing, is encouraging people to do that by what is called time-of-use pricing, which means that the price in non-peak hours is lower than in peak hours. So if you're going to do your dishes, don't do them at 6 o'clock, do them at 10 o'clock at night. If you're going to do your laundry, don't do it at 6 o'clock, do it at 10 o'clock at night. We've even moved to help people automatically turn down their air conditioners through the day and then turn them back up at the appropriate time.

We are determined to find ways that people benefit and are encouraged to reduce their use during peak hours. By the way—I did not mention this earlier—part of dealing with the retailers will be to make sure they offer time-of-use pricing. We cannot let this retail area under-

mine what we're trying to do on energy conservation, so that will be required.

This is back to the second part of the legislation: the individual metering in buildings. I think it's a good balance, and it's always this balance between our very important objective of energy conservation—and that's the suite metering—and making sure that existing tenants are treated fairly. I choose to believe we've found that right balance, where if you're in an existing apartment, you have the option of moving on to suite metering, or not. If you move into an apartment that's already suite-metered, you would understand you're moving into that apartment on the basis that you will be individually billed for your electricity.

I believe we've struck the right balance, and it's a way that the province can move forward pretty aggressively on individual apartment and rental accommodation, but not treat tenants unfairly.

We begin second reading debate today. When the Legislature comes back in a few weeks, I assume we'll continue the second reading debate. My instincts are that there will be a fair bit of interest on the committee work on this as well.

At the end of the day, as they say, I look forward to a piece of legislation that is fair to the business community, fair to the retailers, but very importantly, that the public will say, "You know, that's what was needed. I understand now what I'm buying. I can now make an informed decision."

I dare say that for many of us, when we get this right, it will reduce the workload in some of our constituency offices, because I think all of us deal with people who feel that they have entered a contract that they would have preferred not to be in.

I'm satisfied that we've struck the right balance here. It's an important issue, and I look forward to the debate here in the Legislature and to finally have, when we finish it and if passed, as we always say—if passed—an act that will provide good protection for the consumer.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Hon. Ted McMeekin: Following my colleague is a bit like dancing after Baryshnikov, but that having been said, we'll continue through. I want to begin by saying that as Minister of Consumer Services, it's indeed my pleasure to stand in support of this legislation, the Energy Consumer Protection Act, 2009, and to speak additionally of some of the benefits.

The very best political advice I ever received—I think I've shared this with some of you privately—was from the late, great Sterling Hunt, a farmer up in the Lynden area who, when I was running for mayor of the beloved municipality of Flamborough—which no longer exists, by the way, but that's another day—said, "Ted, tell them what's broke and how you're going to fix it." I think if we stop to think about it a bit, that's really what politics is all about, isn't it? Tell them what's broke and how you're going to fix it. It's about leaving the place a little bit better than you found it, about making a difference,

about giving back, all those things that mom and dad used to talk to us about as we were growing up. Anyhow, that's the personal part I want to share.

On this legislation, it really is the kind of legislation that my ministry and the McGuinty government believe in very strongly: policies focused on helping to protect everyday working people, ordinary Ontarians, from unfair consumer exploitation. It's the kind of role that Ontarians have come to expect of their government: to act clearly in defence of their right to be treated fairly, honestly and openly in the conduct of commercial affairs, to be treated as customers, not targets, and to be shielded from shady practices and sleight-of-hand salespeople.

0940

This is of particular importance during such challenging economic times as we're facing right now, as my colleague joins me—thank you. These are days when consumers are more likely to be looking for opportunities to save a few bucks. Unfortunately, such an environment is also where the unscrupulous try to make a fast buck at the expense of people, and that's not good; that's not right.

The act does not remove the right of private sector companies to carry out legitimate business activity. We don't want to do that. There should be no complaints from those business people who are running a clean operation and approaching customers in a spirit of openness. Indeed, I'm pleased to say that from a number of legitimate energy retailers, we've enjoyed positive consultations and dialogue. My wife and I are founding members of the Bullfrog movement, the clean, green energy movement; it's a good example of a private company that wants to do the right thing. So to all those Bullfrog users out there in Ontario, I say good morning and all the best. I say that to everybody, but particularly to the Bullfrog folk out there, who are making a statement every single day about clean energy and how they want to support things that move in that direction.

This act will, of course, be unwelcome to those whose business model relies on misinformation, unethical sales techniques and blatant misdirection. We want to go forth from this place with a very clear understanding that we're not here to support that kind of behaviour. This act will establish clear rules for businesses in the energy retailing industry, and that's important. It's important that we bring clarity and transparency to how consumers should be treated and how they ought to be able to expect that they'll be treated. Above all else, it places a pronounced focus on granting prospective customers the information and the knowledge necessary to let them make sound decisions. When all is said and done, an educated consumer is a wiser citizen and, I would argue, a better citizen—President John F. Kennedy in his famous address about consumer rights to Congress said that it also ensures that they're better citizens. An informed constituency making good decisions builds consumer confidence and all the positive things that necessarily flow from that. So I just want to get that on the record as well.

Of course, I would be remiss if I didn't take a moment to congratulate my colleague the Minister of Energy and

Infrastructure on this important step. I had the good fortune to serve as Minister Phillips's parliamentary assistant and consider him a wonderful mentor. His introduction of legislation this morning is for me an affirmation of the kinds of things and the kinds of values that he and this government, in fact, have stood for in the past and will continue to stand for and fight for as we move forward.

I note with particular enthusiasm that this legislation will extend many of the protections that my ministry offers under the Consumer Protection Act, but it does so in a way that tackles the specific and growing needs of consumers in the large and very competitive energy field.

In the Ministry of Consumer Services, we're keenly aware of the need for action in this area. In fact, in the 2010 edition of our Smart Consumer Calendar, which I know many MPPs have and are very wise in getting distributed in their own riding, there's a whole section devoted to helping educate consumers about their rights with respect to buying energy. This new legislation of course delivers a vital set of reforms to complement all of the previous educational efforts and the ongoing educational efforts, so this is a helpful addition to that. Again, we want to be as helpful to consumers as we can.

As you've heard already from my colleague, the legislation has three principal thrusts. First, it takes decisive action to ensure energy retailing is conducted in a way that is transparent and fair to consumers, offering them exactly what they need in order to make informed choices. Second, it clearly strengthens consumer protections for those in multi-unit residential buildings, like high-rise apartment buildings, where smart metering and suite metering technology is being introduced. We know from research internationally that the time-of-use meters, taken as a whole and juxtaposed against previous energy use, have resulted in an average of about a 23% energy conservation factor, and 23% energy savings is certainly something that I suspect everybody in this House would willingly embrace.

Mr. Frank Klees: Good luck.

Hon. Ted McMeekin: Maybe we can even do better than that, Frank. Who knows? Let's hope.

Third, this legislation establishes new standards for consumers facing disconnect or security deposit issues. In our MPP offices, we've all heard from time to time some of the horror stories involved in this particular area.

Each of these initiatives will improve the protection of Ontario consumers. That's fairly obvious. Each of these efforts and initiatives will also increase transparency and enhance information available to consumers. That's good. Each of these initiatives will create a fair environment for Ontario consumers, something that Ontario consumers deserve to expect, and we're adamant that we're going to deliver that fairness, that openness and that fair environment.

That said, I want to highlight the first and last measures in this act in particular, because these are items that speak specifically to correcting unfair consumer practices which, as you can imagine, as Minister of Consumer Ser-

vices, are of considerable concern to myself, my ministry and, I suspect, likely all members of this House. As the Minister of Consumer Services, I have direct responsibility for a registry of consumer-based complaints placed by the public. I think my cabinet colleague the Minister of Energy and Infrastructure alluded to this, but let me reinforce for the record that energy retailers have consistently been in the top 10 complaints received by our ministry over the past three years. Each week, the Ontario Energy Board receives between 100 and 150 complaints about pressure sales tactics, contracts that are unclear or misleading, pricing deals that seem at odds with what is promised, and more. It's not a pleasant situation. Again, I think it's important to underscore that energy retailing is a legitimate business practice, provided the seller and the customer both understand the terms and conditions of the transaction.

0950

The Minister of Energy and Infrastructure, I thought quite helpfully, referenced that and compared it to one who negotiates a mortgage. You can negotiate a fixed rate or a variable rate. In some instances, there are some stories of people who have negotiated a fixed rate that has worked out to be, in the long run, quite favourable to them.

Again, I think it's important to underscore that energy retailing is a legitimate business; notwithstanding, consumers do need to make sure that they understand precisely what the terms and conditions of their contract would be.

That, by the way, is precisely what this legislation attempts to do. It's specifically and precisely what this legislation intends to do. In fact, the specific provisions allow for a number of specific improvements. For example, it would impose increased transparency and explicit disclosure on the part of electricity retailers and gas marketers, including providing plain-language disclosure about a number of key contract items. By the way, this would be done in a number of languages so that those whose mother tongue perhaps isn't English, who in some instances are perhaps more vulnerable, will be provided additional protections. I think that's good too, isn't it?

Ms. Leeanna Pendergast: Excellent.

Hon. Ted McMeekin: It would also ensure that each customer is given a standardized accounting on their doorstep, in an easy-to-read format, that will spell out explicitly to the purchaser the price of the energy contract that they are about to enter into, versus the price they currently pay with their existing utility. It would set out clear rules to allow consumers the ability to cancel their contracts under specified conditions, and it would set maximums on cancellation fees.

Again, my colleague the Minister of Energy and Infrastructure has referenced the 10-day cooling-off period, which is standard in the consumer protection business; the 30-day provision; the independent confirmation of the knowledge about the contract; as well as the ability to cancel a contract after the first payment if you discover, to your chagrin, that the terms aren't exactly what you

thought they were. So there are all those protections. As we consult, perhaps additional protections might be built in.

We're absolutely determined to get this right. I think the Minister of Energy and Infrastructure has gone quite a ways to ensuring that this legislation is what we need in Ontario, and I know he's open to any enhancements of this legislation. That's just the nature of the man. He has always been open to getting something in place that works better for Ontario consumers. That has always been his *modus operandi*, and I'm pleased to say that's exactly how we work in the Ministry of Consumer Services as well. He has set a good example.

We'll continue to work hard to set out clear rules that allow consumers to cancel their contracts under those specified conditions and that set maximums on cancellation fees.

Ms. Leeanna Pendergast: Hear, hear.

Hon. Ted McMeekin: I know.

Ms. Leeanna Pendergast: Good stuff.

Hon. Ted McMeekin: You know, it's not always the most exciting stuff, but the day-to-day business of government doesn't have to be charismatic or what have you. It has to be solid. It has to be based on principles and good social policies about "Let's think of this together," telling them what's broke and how you're going to fix it. Right?

Ms. Leeanna Pendergast: Excellent.

Hon. Ted McMeekin: So after the initial contract has been signed, it would require retailers to go back and verify the consumer's attempt to freely enter into that contract, before any deal is considered done.

Finally, it would allow the government to establish new regulatory and training standards for salespeople and, importantly, create legal liability for directors and officers of the electricity retailing and gas marketing companies.

Mrs. Carol Mitchell: More good news.

Hon. Ted McMeekin: You're right: more good news. It is a good-news morning, isn't it? You know what? It has been a good-news week, actually. Isn't there a song about that?

Interjections.

Hon. Ted McMeekin: Well, Russia hasn't launched a satellite this morning, I don't think, so we won't go there.

These are not small matters. For anyone seeking to deliberately make a buck from unfair exploitation of consumers, we want you to know that we intend to force you to clean up your act. We're going to make you clean up your act. These measures will establish a new standard of and for transparency, disclosure and accountability that will surely discourage scam artists and charlatans. They tend to hang out together, the scam artists and the charlatans, right? It will create a series of penalties and remedies that will encourage businesses to act in the best interests of the consumer. Anybody here in this House who doesn't want to act in the best interests of consumers, raise your hand. No, nobody; I didn't think so.

Let me also take a moment to discuss the issue of security deposits and disconnections, for these too are

areas that attract considerable complaint from the public, and understandably so. On the one hand, it is only natural that companies exercise due diligence in the extension of service to those with a checkered past paying their bills. I've been in business. You've got to guard yourself. Being an idealist doesn't mean you're naive, right? You have to protect yourself, and we want to make sure that legitimate businesses are protected as we're clamping down on those scam artists and charlatans who meet in the dark and plot nefarious deeds.

On the other hand, widespread and indiscriminate use of security deposits can become a barrier to accessing service, particularly for vulnerable consumers. We need to have a particular interest in and focus on defending the vulnerable, and this legislation clearly is intended to do exactly that. The challenge here is to ensure a common set of principles and rules. We will bring clarity to a practice that seems far too capricious for the tastes of many individual consumers. The legislation will allow the OEB to establish transparent guidelines for when and how utilities employ security deposits to ensure that, to the greatest degree possible, utilities maintain their focus on honest-to-goodness credit risks and not just on turning another buck.

The same will be true of disconnections. New rules and clear, transparent measures will be established. Moreover, the legislation will prescribe what classes of consumers cannot be disconnected—I know we've all had those horror stories—subject to certain criteria. Again, the ambition here is to ensure fairness and consistent practice all across this great province of ours. Importantly, this legislation will ensure that such practices in the electricity market are extended to also capture the natural gas and suite-metered sectors.

In wrapping up, I appeal to my fellow members on all sides of this great Legislative Assembly, the people's place, the place where we have important debates and make important decisions that impact literally millions of Ontarians, from the eastern part of the province right through to the Windsor area, from that great urban municipality of Hamilton right up to the northern sections via Kitchener, and elsewhere. To all Ontarians, we want to give assurance that we're trying to do the right thing and that all members of this Legislative Assembly will in fact not only consider these measures now but do a speedy review and ensure a speedy passage of this important legislation.

1000

Mr. Frank Klees: Just deem that it was done.

Hon. Ted McMeekin: Well, some governments have worked that way in the past but we want to make sure we get it right. As the Premier is fond of saying, "None of us is as smart as all of us." So we're going to take our time to get it right, just as we have on other pieces of legislation that we've dealt with recently in this House.

Sound policies to protect consumers are surely a priority that we in this place can all agree upon regardless of partisan stripe. That's what's so wonderful about this place. When something makes sense we embrace it to-

gether and we move forward together to better serve—working together to serve the people of Ontario even better, right?

Mr. Frank Klees: Hallelujah. Amen.

Hon. Ted McMeekin: Amen, brother.

The problems to be corrected are not difficult to identify and the solutions are, I believe, we believe, equally apparent. This legislation builds on our province's proud record of strong consumer protection—

Applause.

Hon. Ted McMeekin: They say, "Never step on your applause"—record of strong consumer protection and permits fair commercial activity to unfold. Extending such principles to the energy sector is a logical, progressive and desirable move. Leadership is about doing the right thing. We believe this is the right thing, and our sincere hope is that we will find in this House an agreement, a certain and hopefully unanimous agreement, on this matter.

I thank you for your patience and I thank all the members of the Legislative Assembly for listening so attentively on this important issue. I want to say to the good people of Ontario who may be tuned in this morning that the Minister of Energy and Infrastructure and his team have gone out of their way. I've got to tell you they have worked around the clock, and my ministry has contributed in some small measure to the important legislation before us. It's good legislation. It's the right thing to do. Leadership is about doing the right thing, and all the members of this assembly, regardless of stripe, share the concern that we do the right thing.

Thank you for allowing us this time. As Barack Obama said, "We're not here to fear the future, but to shape it." Let's do so.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. John Yakabuski: Interesting. The Minister of Consumer Services talks about working around the clock. Well, you know, David Ramsay introduced a private member's bill that we were going to work with on this subject last year, a year ago. We had second reading a year ago. So it's been a very slow clock if they have been working on it.

Why they're introducing second reading today, the day we're exiting this House for winter recess, is clearly pure politics. They want to send out what they see as a positive Liberal political message for the holidays because they've had so many negative messages with the HST. I've got all the respect in the world for the Minister of Energy and Infrastructure, but to bring a second reading debate today, one hour of debate and then nothing for several weeks, a couple of months, perhaps, seems kind of strange to me.

He talked about a couple of things: sub-metering, or, as they've called it, suite metering. They've changed the term. I guess they want it to sound sweeter. The reality is that we told them in 2004 that they had to go with sub-metering if they wanted to get some gains on energy conservation. That's when we really needed it. Today we ac-

tually have a demand that is much lower than our supply, and that's because, when they talk about their lowering those peaks, they've managed to do a good job of lowering demand during those peaks by getting rid of 330,000 manufacturing jobs in the province of Ontario. That's what has gone on under their watch. So it's kind of rich that they're talking about that kind of thing now.

But in cabinet meetings, George Smitherman, before he was Minister of Energy, and Michael Bryant fought against sub-metering; otherwise, we would have had it in this province sooner. They fought against it because they didn't like the politics of it in their ridings.

The other thing about this bill is that it doesn't speak much about what they're actually going to do. It's very difficult to debate something when it's going to be done in regulation. We know the principles, and we support the principles, because we have to do something about unscrupulous energy retailers; they have to be stopped. But we need to know more about what tools we're actually going to use to do that.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Paul Miller: We're all in favour of protecting the consumer. The minister stood up and he did quite a theatrical presentation with all kinds of quotes and it was really a very good Hollywood-style presentation. I must credit him on his acting ability.

However, if he really wants to protect the consumer, then maybe he should look at the billing process, because, before I was in this House, I used to look at my bill, and you needed a Philadelphia lawyer to figure out all the charges that come from the middleman, which they created. They allowed middle producers in there that have transportation costs and storage costs and all these other things that the consumers don't really understand, and they sure don't spell it out. I'll tell you, they created a middleman, because I remember when it was just one utility. You'd pay the utility, you'd pay the gas bill to Union Gas, you'd pay Hamilton Hydro, and then they created this whole group of guys in the middle, squeezing the population for more. More bureaucratic levels were created, and that just costs more money to the consumers.

So when they stand up and say, "We're here to protect the consumer," well, they might not want to create all these bureaucratic levels that get more charges for people, whether it's gas, hydro, you name it, all these things that have been created. When you stand up and say, "We're for the people of Ontario, and we want to protect them," then really do it. Don't create all these other agencies and things that are charging the people of Ontario. That's what they don't talk about.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Phil McNeely: I'd just like to clear up some of the information this morning. The middleman was brought in before 2003. This bill will clean up the mess that was left of not properly legislating these people.

In my experience as a member, I've received many complaints from my constituents about the practices used

by some of the less scrupulous door-to-door energy salespeople. I've experienced that first-hand—not only once, but twice. Very plainly, this bill, if passed, will eliminate these practices from the marketplace, and this is extremely important to ensure that seniors on fixed incomes and new Canadians, who perhaps do not have a strong command of the language, are not locked into bad contracts.

It will also allow individual units in apartment buildings to be metered for electricity individually, and this, again, is very important. This will allow those individual owners to control their own costs by lowering their energy use. I'm very much in favour of this measure. Shifting some of the responsibility to use less energy to tenants will help Ontarians to achieve greater greenhouse gas reductions, and we know that is very important, with the talks going on in Copenhagen this week and next.

As we know, conservation is not only good for the environment, but it's the most cost-effective way of cutting energy costs. It is an action that will help us achieve the goal of having 3.6 million customers on time-of-use pricing by 2011. By 2014, the goal is to reduce province-wide greenhouse gas emissions by 6% below the Kyoto-established levels of 1990.

Our Green Energy Act will help us to achieve these targets. Already, the feed-in tariff is being lauded as the best program of its kind in North America. It will lead to a renewable energy upsurge. In fact, green companies are already moving into Ontario. For example, Canadian Solar Inc., which was mentioned in this House yesterday, will be setting up a manufacturing plant. The Green Energy Act is truly a significant step toward building a thriving green economy in Ontario, and this bill we are debating today will only build on the significant achievements made so far.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Norm Miller: It's my pleasure to have the opportunity to respond to the minister with regard to Bill 235, An Act to enact the Energy Consumer Protection Act, 2009 and to amend other Acts.

Two minutes, of course, is not much time to hit all the aspects of the bill, but, you know, the minister said that there are 100 to 150 complaints a week with regard to energy retailers. I would say, from my own experience in the riding of Parry Sound–Muskoka, that, through my offices, I have had many complaints where seniors, in particular, are what I call preyed upon by pushy and forceful salespeople going door to door, and just never saying no—sometimes misleading as to the facts. More protection for those individuals is a good thing.

I'd say why not consider making door-to-door sales of anything illegal, because I think the great majority of people don't want to be disturbed at their house by a door-to-door salesperson. I'd be open to consideration of that. It would need fuller investigation for sure.

The minister talked about the provincial benefit. I've got a situation in my riding where a corporation, a manufacturer, signed a fixed-price contract. They say they were misled by the salesperson and didn't realize that the

provincial benefit, in a time of low energy prices, actually becomes a cost of thousands of dollars a month to them, and they are quite concerned about that.

I would agree that it is very complicated. Suite metering, as the member from Renfrew–Nipissing–Pembroke pointed out, is something that we were pushing for many years ago. It allows individual meters for condos or apartments so that people understand and have an incentive to save electricity.

On the surface, this bill looks like something that, certainly, I would like to support. I hope there's no poison pill in it. I hope they take time and don't time-allocate this one, and actually listen to people to try to get this one right.

The Acting Speaker (Mr. Jim Wilson): Thank you. Two-minute response?

Hon. Gerry Phillips: Just to thank all of the members.

The member from Pembroke indicated—sort of a comment that we've got so much supply, we don't have to worry about conservation.

Mr. John Yakabuski: Oh, I did not indicate that.

Hon. Gerry Phillips: Well, you said conservation is not as important now.

I would just say to the public that this is always a challenge. We have to keep relentlessly pursuing conservation, even if supply is seemingly fine. They're somewhat unrelated. I wouldn't want anybody out there who is thinking of conservation to back off at all.

To the member from Hamilton East on the billing, I am determined that our bills become more understandable to the consumer. I don't disagree that it is somewhat difficult.

And earlier, I think about a week ago, to another question in here on the same issue that the member from Parry Sound raised, and that is the provincial benefit, or the—

Mr. John Yakabuski: Global adjustment.

Hon. Gerry Phillips: Global adjustment. Thank you very much. We have to find a way to clarify that.

I want to thank the member for Ottawa–Orléans. The day he arrived here, he was pursuing energy conservation. He was working on the building code, I remember. He's kind of made a career of this. And he was talking about it before many of us were as aware as he was. He's been relentless on this, and very knowledgeable, and I thank him.

To the member for Parry Sound, as I said earlier, we do have to find a way that our bills become clearer. He mentioned the number of complaints he has. He's probably not unique. We need to deal with that, and I believe this legislation does.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Jim Wilson): It being just about 10:15, this House stands in recess until 10:30, at which time we will have question period.

The House recessed from 1014 to 1030.

INTRODUCTION OF VISITORS

Hon. Jim Watson: I'm delighted to welcome two friends in the gallery: Adam Grachnik and Andrew Block. Welcome to Queen's Park.

Mrs. Joyce Savoline: Christopher Dabner's family is back today, including his mom, Katie; his grandma, Nancy Hood, from Tennessee; his brother Geoffrey; and this time also his father, Mike Dabner. Welcome.

Hon. Deborah Matthews: I am delighted to welcome the family of our page Jamie Sheidow. Her mom is here, Lori Sheidow, with her sisters Alex and Andie. Welcome. Your sister is doing a great job.

Hon. John Milloy: I'd like to welcome my cousin here today, Janice Habasinski, who's also a proud member of the Ontario public service. She's here to watch question period.

Hon. Monique M. Smith: I would like to welcome back again David Wolfe, our page Sam Wolfe's dad, who is here again with us from North Bay and hopefully celebrating what will be a lovely final day for our group of pages.

The Speaker (Hon. Steve Peters): We have with us in the Speaker's gallery a visiting delegation of parliamentarians from the law committee of the Vietnam National Assembly, led by Professor Dr. Phan Trung Lý. Please join me in warmly welcoming our guests to the Legislature today. Welcome.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): Hopefully, this is the last day. As much as they don't want to leave, I would just like all members to join me in saying thank you to this group of pages for the great job they've done on all of our behalf.

MEMBERS' ATTENDANCE

The Speaker (Hon. Steve Peters): Before we do break for the Christmas holidays, I want to first—

Mr. Gilles Bisson: Who says we're breaking?

The Speaker (Hon. Steve Peters): I certainly would welcome a motion to extend the sitting.

I know we don't make reference to absences, but we do have three members who have been under the weather: Peter Kormos, Pat Hoy and Jim Brownell. On behalf of all of us, and I know they're watching—especially I know Peter Kormos is watching on the Internet—we wish them well and a speedy recovery.

In closing, I just want to take this opportunity to thank the honourable members for their co-operation over the past session, thank the table, thank all the legislative staff, the political staff, and everybody who's there to support us day in and day out. On behalf of the Legislative Assembly of Ontario I want to wish everyone a Merry Christmas, Happy Hanukkah, happy holidays. Have a great festive season. Use it as an opportunity to relax and

re-energize. We look forward to seeing you all in the new year. All the best through the holidays.

VISITORS

Mr. Mario Sergio: I have the pleasure of introducing a delegation from Milano, Italy, here. Even though they are on a business trip, they are enjoying our wonderful city and the warm weather that has received them. From Milan, I would like to welcome Franco Invernizzi and the delegation, Joanna Maio, Mr. Enzo and Giancarlo. Benvenuti in Canada.

Mr. Jim Wilson: I want to welcome to the Legislature today Richard Yeates and his son Liam. They were successful at a Knights of Columbus auction to have lunch with their MPP. So, welcome and condolences.

Mr. Charles Sousa: I have some special guests with us today: Jon Vapsva and Vidas Vapsva from Mississauga South. Welcome to Queen's Park.

Mr. Dave Levac: Up in the visitors' gallery is a very dear friend of mine from many years in the education field, who has been watching Queen's Park—and I hope she doesn't hold it against us—Cheryl Fullerton from OECA. Thank you very much for being here, Cheryl.

ORAL QUESTIONS

GOVERNMENT'S RECORD

Mrs. Christine Elliott: My question is for the Acting Premier. After six years, this government is arrogant and out of touch, and Dalton McGuinty certainly isn't the person voters thought he was. Let's take a look at his economic record: spending \$2 million more per hour than received in revenue; adding \$13,500 in new debt for each and every family in Ontario; \$32 billion of stimulus money and no jobs; Ontario, as a province, receiving welfare; one tax increase after another—the health tax, the HST and now road tolls; Saskatchewan overtaking us in per capita income. What made you think you could get away with that?

Hon. Dwight Duncan: All Ontarians look to their Legislature to lay out plans to build a better and brighter future as we approach the new year. Ontarians acknowledge the work of our federal finance minister and of the federal government with us on the HST. They acknowledge the fact that this plan will create some 600,000 net new jobs in Ontario. They know the challenges that Ontario has been faced with, and they understand the need to make those decisions. We look forward to the next year, we look forward to growth coming back in Ontario and we only hope that that member and her party will start doing some things that show what they stand for instead of the games and the stunts. Why don't you lay out a plan? Give the—

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: But, Acting Premier, nine months ago you said you had a plan to create 300,000 new jobs. You also said you would create 100,000 new student jobs, not to mention the 50,000 new so-called green jobs that you would create. But Ontario has net job losses under the McGuinty Liberals. What made you think you could get away with that?

Hon. Dwight Duncan: Well, about a month ago we announced the Pan Am Games, for Toronto and yesterday, the International Indian Film Academy awards in 2011, a large coup for Ontario. Canadian Solar Inc. announced that it's manufacturing solar panels, moving 500 jobs from China to our province. Just this morning, Toyota announced another 800 workers being hired at the Toyota plant. What did Tim Hudak say about our work with Toyota? He said it was corporate welfare and that we shouldn't have done it.

This government has laid out a plan through difficult times. We're optimistic about the future and about Ontario. We know the people of Ontario will rise to the challenge in the economy. This plan will create jobs, it will lower taxes for people and it will make Ontario bigger, better and stronger as we come out of this global downturn.

The Speaker (Hon. Steve Peters): Final supplementary.

Mrs. Christine Elliott: The bigger this government's failure to deliver on a job promise, the bigger promise they make the next time. You promised 450,000 jobs since March but delivered none. Now you've promised 600,000 more jobs. Whatever makes you think you can get away with that?

Hon. Dwight Duncan: Just a couple of weeks ago, General Motors announced a third shift at its Ingersoll plant. That member and her party did not support our initiatives to help keep the auto industry in Ontario. They called it corporate welfare. We saw it creating jobs and maintaining jobs. We have three shifts at Chrysler in Windsor, we have a new shift at Ingersoll, 800 more jobs at Toyota and a growing and thriving industry in renewable energy.

We have a thoughtful Premier who has laid out a plan, who sees a brighter future for this province, as opposed to that party: no plan, no future; stunts and slogans in front of the mirror every morning. The people of Ontario see a plan. They like the plan, and they support it. We're going to move forward to a better future in the new year.

1040

GOVERNMENT'S RECORD

Ms. Lisa MacLeod: My question again is for the Acting Premier. After six years, Dalton McGuinty's government has become arrogant and feels entitled to waste taxpayer dollars. Let me refresh your memory on your record: a billion-dollar eHealth boondoggle; forcing nine staff at the Integrity Commissioner's office to review thousands of expenses; hiding bureaucrat salaries and the McKinsey contract in overstretched hospital budgets;

sole-sourcing the Maid of the Mist contract; sole-sourcing the Casino Niagara contract; sole-sourcing a \$15,000-a-day Windsor Energy Centre that was over budget and turned into a Dwight elephant; and finally, expensing Steve Mahoney's GPS at taxpayers' expense.

Acting Premier, what made you think you could get away with it?

Hon. Dwight Duncan: The people of Ontario recognize that there's been an enormous upheaval in the economy over the last year. I remember a year ago that there was concern that the Detroit Three automakers would leave Canada and close down. Not only are they open and running, they're hiring new people. When that member and her party opposed helping Toyota, they didn't think about the 800 jobs that were announced this morning for an additional shift.

The people of Ontario can see past the empty rhetoric. They can see past the noise. They can see past the stunts. They know that the world and Canadian economies have gone through a tremendous upheaval. They know that we have a Premier who has a vision for the future of this province, a vision that sees more jobs, a growing and thriving economy as we move forward, an economy with challenge—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Lisa MacLeod: Well, when that member and his party took office, they lost millions of jobs in this province and they spent us into deficit. You did nothing to stop the scandals and the waste. You waited—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

Interjections.

The Speaker (Hon. Steve Peters): I am quite content just to stand here, and the pages, I know, do not want to go home. They just told me so.

I would like the honourable members to come to order so we can complete this question period.

Please continue.

Ms. Lisa MacLeod: I did not know they were awake for the past six years, but today they just showed that they were. They did nothing to stop the scandals and the waste; they waited until they got caught.

So I'm going to ask him again: What made you think you could get away with it?

Hon. Dwight Duncan: I think Ontarians see the importance of a plan for jobs in the future. I think Ontarians recognize that we have to take important steps forward. I'm really excited about full-day learning in junior and senior kindergarten. That member and her party are voting against it.

I look forward to a rational debate around the important public policy issues that we will contend with. I look forward to debate where members can respectfully put their points of view, have their differences. But most importantly, I look forward to a brighter new year with more jobs for Ontario, full-day learning for junior and senior kindergarten—a brighter future with more jobs, new investments coming to Ontario, and 600,000 families with

a brighter future because of the tough choices this government's made in a calm, cool and rational fashion.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Lisa MacLeod: That member and his party know who got rich off the scandals and the waste because they did the deals. You can keep your secrets, and you can continue to block a public inquiry into the eHealth billion-dollar boondoggle.

You've dodged, deflected and stonewalled each and every question we have asked, so let's try it—the sixth time is a charm: What made you think you could get away with it?

Hon. Dwight Duncan: The job plan that we've laid out is important to Ontario's future. It is important that we work together, have our debates in a calm and rational way and focus on the issues that are important to people: jobs, learning opportunities, better post-secondary education.

The Premier of Ontario, Premier McGuinty, has laid out a plan that we believe is the right plan. We welcome the support of the federal government on our tax reform plan. We look forward to implementing our full-day learning program for junior and senior kindergarten. We are happy with the announcement at Toyota today.

We are still not completely out of the woods, but unlike that member and her party, we have a focused, positive view for a better future for Ontario, more jobs for our families and a higher standard of living. That's what's important to the people of Ontario, not the cheap rhetoric and the stunts.

GOVERNMENT'S RECORD

Ms. Andrea Horwath: My question is to the Acting Premier. Over the last four months, the very people who make this province work have watched as the government that's supposed to stand up for them has repeatedly failed them, from an unfair tax scheme that leaves them paying more, just to finance another corporate tax giveaway, to a billion-dollar scandal that saw scarce health dollars flow into the pockets of well-connected insiders while local emergency rooms closed.

My question is this: Why has this government put the interests of the people of this province last, time and time again?

Hon. Dwight Duncan: This Premier and his government have put the interests of the people first. Let me remind the member: That member and her party opposed support to the domestic auto industry at a time when they were threatening to pull out of Ontario. There are tens of thousands of Ontarians working today because of that.

That member and her party opposed us when we assisted Toyota Motor company to locate here in Ontario, and today they announced yet another 800 jobs. They spoke against that kind of assistance.

That member and her party voted yesterday against the tax cut for the lowest-income Ontarians, contrary to the advice of her party's own economists. That member and

her party yesterday voted against doubling the property tax credit for seniors.

Premier McGuinty and this government have a better view for Ontario's future than that member does. We're optimistic about the future. We'll continue to make the tough—

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Just saying it doesn't make it so, unfortunately, and the finance minister needs to realize that. The people who make Ontario work have been ignored, flatly ignored, by a government that has grown increasingly arrogant and out of touch.

The legislation this government so proudly stood for yesterday will make life more expensive—it absolutely will—every time people fill up their cars, every time they heat their homes, when they turn on the lights, even when they buy a Christmas tree.

Ontario families already spend a lot of time going over their expenses each and every day to try to scrimp and save, to make ends meet. They make tough decisions about what they can and can't afford. My question is this: Why is their government ignoring them?

Hon. Dwight Duncan: Our government has responded to the genuine needs of the people of Ontario resultant from one of the worst downturns in the western economy since the Great Depression.

We took steps immediately to invest in the auto sector when that member and her colleagues said not to. We took steps to increase the property tax credit for Ontario seniors. That member and her party voted against that.

When that member and her party spoke against and voted against Second Career, a real opportunity for 21,000 Ontarians to get retraining, we stood strong. Now more than 25,000 people have gone through that program successfully.

There are no doubt difficult issues. Our Premier has the leadership and the courage to take good and tough decisions to build a better future, a brighter future for all Ontarians, with more jobs and higher incomes.

1050

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The only thing New Democrats were concerned about was making sure that this government didn't flush more money down the toilet and not guarantee jobs with those investments, and of course we know that they didn't, in many cases.

But this is about the McGuinty government and the fact that it is so out of touch that ministers, in fact, are surprised that people do not want to see the harmonized sales tax in this province. The government is so arrogant that they rammed it through with almost no consultation or debate. There were no hearings on this unfair tax outside of Toronto, and Liberal MPPs walked off the job to ensure that the committee that was reviewing this tax and did actually hold those very few hearings was not even allowed to report it to the House.

Does the minister really think that by just ignoring thousands and thousands of people who write to us every

single day about the HST, their concerns are just going to magically go away?

Hon. Dwight Duncan: We've been focused on public consultations, not on hurling insults—insulting the integrity and character of honourable members—and stunts. We will continue to be out in the public, to work with the people of Ontario, to help explain the benefits of this plan.

The third party chooses to insult people, throw words around—

Interjections.

The Speaker (Hon. Steve Peters): I would ask the member from Hamilton East to please come to order and particularly, if he's not going to be sitting in his seat, to not be interrupting the House.

Hon. Dwight Duncan: They choose to hurl personal insults.

I think the people of Ontario know they have a Premier who has his eye on the future of this province, a Premier of integrity and of decency, who is putting forward a plan to create tens of thousands—hundreds of thousands—of jobs.

These decisions aren't easy. They do require a lot of consultation. That's why we spent nine months up until now, and that's why we'll spend more time helping people see that. We believe very strongly that this province has a better and brighter future. We've tried to lay out a plan that we think will lead to us to that future. I'm optimistic about the future, and I—

The Speaker (Hon. Steve Peters): New question.

GOVERNMENT'S RECORD

Ms. Andrea Horwath: My next question is, again, to the Acting Premier. Since this legislative session started in September, people have been let down by a government that has grown arrogant after six years in office.

In October, we learned about the shocking waste of one billion precious health care dollars at eHealth. Days later, we discovered the government was hiding bloated health bureaucrats' salaries in hospital budgets. Then, people watched as local emergency rooms began to close and the Premier mused on further health cuts. Why is the McGuinty government ignoring the health care concerns of the people of Ontario?

Hon. Dwight Duncan: I think the people of Ontario see a government that has brought forward things: a plan for 600,000 jobs, full-day learning, nurse practitioners' clinics, cap and trade, and a Green Energy Act, creating jobs. They've seen a government that has responded to real issues around the proper oversight of eHealth by taking the recommendations of the Provincial Auditor and moving forward.

We're going to continue our focus on creating jobs. We're going to continue our focus on working with all Ontarians to make this province a better place, to improve our education and health systems, to make the kinds of investments that will improve life for all Ontarians.

I regret the tenor of the name-calling and the language that is used around here. We look forward to an informed and rational debate around the future of Ontario, a future which we know is full of promise, full of hope for all of our citizens.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: It's not just in health care. This government has also let down Ontarians who have lost their jobs. The unemployment rate is the highest it's been in 15 years in this province. From Windsor to Hamilton to Timmins, jobs continue to vanish. Rather than a plan to create jobs, this government chose to ram through an unfair tax that the Ontario Chamber of Commerce says will cost us 40,000 jobs a year. Why is the McGuinty government so blatantly ignoring the plight of unemployed people in the province of Ontario?

Hon. Dwight Duncan: I think Ontarians understand that the world economy has gone through a difficult period. I think they understand that job losses are extraordinarily high throughout the Western world.

Hon. Gerry Phillips: They're looking for leadership.

Hon. Dwight Duncan: As my colleague says, they've been looking for leadership.

We've laid out a plan; that member and her party have not. A lot of rhetoric, a lot of harsh language, a lot of personal attacks on the character of our members and the character of members of the Legislature—we reject that kind of politics. We embrace the politics of hope. We look forward to a better year ahead on this last day of 2009. No doubt this has been a difficult year, particularly for those families who have lost their jobs. But as long as one family wants a job, wants a better life, this Premier and his government won't rest until we deliver that.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: If this government's big-budget production were a Bollywood blockbuster, it would surely be called *The Big Letdown*: people forced to drive for hours to find an emergency room as health care dollars are squandered on well-connected consultants; an unfair tax scheme that works like Robin Hood in reverse, forcing struggling and unemployed people to pay more so that profitable corporations are able to pay less; a government that refuses to listen to the very real concerns of everyday people.

My question is simple: How could this government have allowed things to get this bad?

Hon. Dwight Duncan: Again, I think the people of Ontario understand the challenges of the global economy. I think they reject the politics of division, the politics that that member espouses.

Interjection: You underestimate people, Andrea.

Hon. Dwight Duncan: She really does underestimate the people of this province and their resilience.

There is no doubt, like all over the Western world, too many people lost their jobs. Too many people are more vulnerable today than they were at this time last year. But they have a government that's laid out a plan, a solid plan that, according to the NDP's own economists, will create

600,000 jobs. That member and her party have not. They continue to use empty rhetoric, to hurl insults around, to undermine the integrity of people in this province who want a better future.

This is a party and government about hope. This is a party and government that will deliver a plan to get people back to work in Ontario, and the working families of this province know that.

HIGHWAY TOLLS

Mr. Toby Barrett: My question is to the Acting Premier. The ink wasn't even dry on your greedy HST tax grab before you announced that you're thinking about slapping new taxes and tolls on public highways. What makes you think you can get away with this one?

Hon. Dwight Duncan: I don't know where he gets that from. I think that is not—

Hon. Rick Bartolucci: It's a Tory story.

Hon. Dwight Duncan: It's just a Tory story, devoid of fact. I thought the Minister of Transportation spoke about Highway 407. It's a tolled highway. When the extension proceeds, it will.

That party has offered no solutions. That party continues to rely on empty rhetoric, on stunts in the Legislature, on yelling and shouting. The people of Ontario want more than that. They want a plan that recognizes the bright future of this province, that recognizes the challenging times we've come through. Our Premier has shown leadership and integrity. We're committed to building the jobs, to building the future that all Ontarians demand and deserve.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Toby Barrett: I know specifically where I got this one; it's a quote in the Toronto Star. It's from Environment Minister Gerretsen, when he was asked about slapping fees on existing public highways: "We are open to anything that will reduce greenhouse gas emissions...."

Ontario families already pay taxes at the pumps. Dalton McGuinty's HST on everything will make those families pay even more to fill up. Now you want them to pay even more, with talk of fees.

Again, what makes you guys think that you can get away with this?

Interjection: Come on, give it to Jim.

Hon. Dwight Duncan: To the Minister of Transportation.

Hon. James J. Bradley: I should first of all remind the member, through the Speaker, that the deal of the century was negotiated by the Conservative government. When they were faced with a deficit, they decided they would sell Highway 407 at a bargain basement price to balance it. Then they allowed Highway 407 to charge whatever price they wanted for their tolls. Then they allowed them to take people's licences away. They signed the deal of the century, and now you ask that question?

I've clearly said, when asked, and our position has consistently been that we have no plans to toll existing highways in the province of Ontario. I don't know how

much clearer I can be than that. I know that you are concerned because this government may be looking at reducing emissions of some kind, and your government—

The Speaker (Hon. Steve Peters): Thank you. New question.

1100

SEWAGE SLUDGE

Mr. Peter Tabuns: My question is for the Minister of Health. Two weeks ago, the member from Nickel Belt raised concerns in this chamber about the health dangers of sewage sludge being spread on the flood plains of the South Castor River near the village of Vernon. Residents and farmers depend on the health of that river, which is used to irrigate fields. They wrote to the Minister of Health about their concerns about a month ago.

What action has the minister or the government taken to address the sludge-related health concerns of Vernon residents?

Hon. Deborah Matthews: I know the member opposite understands that this is an issue that the Minister of the Environment has been working very, very hard on. We are committed to the health of the people of Ontario. We've taken important steps to ensure that Ontarians are just as healthy as they can be. That includes our ban on the cosmetic use of pesticides and the tremendous investments we've made to clean up our drinking water—a number of initiatives.

We take the environment very seriously. We absolutely understand the link between the environment and our health care. The member opposite does understand that this particular aspect of our health care is under very, very careful review by our Minister of the Environment.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: The minister has deflected the question. The letter that was sent by the residents has not been responded to. Independent tests are showing four times the level of E. coli in the water coming into the South Castor that is allowed by this province. That indicates that all kinds of other contaminants are going into the river. Clearly, the Minister of the Environment is not paying attention to this issue.

To the Minister of Health: Will she act to protect the residents of Ontario? Will she act to stop the spreading of sewage sludge on flood plains in this province?

Hon. Deborah Matthews: We in Ontario have the highest standards of drinking water in the world. We continue to protect drinking water.

Let me shed a little bit of light, though, on the new regulatory framework for non-agricultural source material. There is a new regulatory framework for the management of biosolids and other non-agricultural source materials. This new framework includes new and improved standards for these materials in the nutrient management regulation. It includes removal of duplicative requirements for farmers, haulers and generators. There's a focus on the quality of the material that is being applied to land, and we are committed to maintaining Ministry of

the Environment oversight and enforcement. Collectively, these are exactly the steps we need to be taking to continue improving the health of Ontarians.

CONSUMER PROTECTION

Mr. Bill Mauro: My question is for the Minister of Energy and Infrastructure. Minister, this week our government tabled legislation that is designed to protect consumers from unfair, misleading practices of retailers, particularly energy retailers selling door to door in our province. This has been a real issue in my riding and, I can believe, probably in almost every other riding in the province.

Every week, constituents contact my office because they've had problems with energy retailers. These salespeople make promises, but they don't provide the full details of the contract. The information they provide is often incomplete or misleading. Many consumers quickly discover they're actually paying more, and in countless cases the retailer makes no effort to ensure the person who is signing the new contract has signing authority over the existing account. When the consumer attempts to get out of these questionable contracts, they frequently face harsh financial penalties.

Minister, are you confident that this legislation will rein in these retailers, and will this bill actually deal with the issues my constituents have raised?

Hon. Gerry Phillips: I thank the member for the question. I would say that I think virtually every member of the Legislature has had similar issues. The bill does deal with each of the issues that the member just raised. It deals with proper conduct by door-to-door salespeople, which is not taking place in all cases now. It deals with ensuring that the information that people are provided with before they sign the contract is clear and understandable. It deals with holding the companies accountable for the actions of the door-to-door salespeople, and it does provide much better cancellation provisions, I would say, through you, Mr. Speaker, to the member; my apologies.

The bill does deal with each of those. We began debate today. I look forward to input from the Legislature and improvements, if we can see any.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bill Mauro: Minister, thank you for the response. The bill does seem to address most of the issues and problems my constituents have repeatedly raised. My concern is what this will still really mean for them. The information that is going to be provided back to my constituents, as well as other constituents in most ridings across the province, is what we're really interested in finding out. I know it's what the people in my riding are most interested in. In numerous cases, we've heard about constituents not being fully informed about the impact and aspects of the contracts that they've signed.

How will this bill ensure that my consumers have accurate and adequate information?

Hon. Gerry Phillips: Well, that's at the heart of this issue, I think, and that is that people need to understand

clearly what they're buying. The best analogy I can provide to the House is that we all kind of know that on mortgages you can get a fixed-rate mortgage or you can get a variable-rate mortgage. What these retailers are offering on gas and electricity is a fixed rate over a period of time. What you get from Toronto Hydro, for example, is a variable rate. But people do not understand the detail of that. This legislation will require that people have a clear understanding.

I look at British Columbia. You can go on a website and you can get clear information on fixed contracts on natural gas purchases.

The answer to my colleague is that the legislation provides us with the opportunity to make sure the consumer is clearly understanding what they're buying and makes an informed choice, and we'll make sure that—

The Speaker (Hon. Steve Peters): Thank you. New question.

SKILLS TRAINING

Mrs. Elizabeth Witmer: My question is to the Minister of Training, Colleges and Universities. Minister, I ask this question today on behalf of the thousands of unemployed men and women, not just in the region of Waterloo but throughout the province of Ontario, whose lives have been shattered yet again by the McGuinty government's management and retroactive rule changes to the Second Career program, which means they won't qualify for retraining despite promises made to them eight months ago that they would. These people are flocking to my office because you refused to help them—you, on the other side.

Minister, I ask you, where is the compassion and the fairness for these men and women? And what makes your government think you can get away with treating these people in such a cavalier and disdainful manner?

Hon. John Milloy: I know the member in no way wants to suggest that somehow she has a monopoly on compassion for unemployed workers in the province of Ontario. Every member of this House is concerned about those who are looking for a job in our province. We introduced, in June 2008, a Second Career program targeted at 20,000 Ontarians. Despite the ongoing criticism from her and her party, after 17 months, we were able to surpass that number at 21,000, and we made a decision not to end the program but to continue it and welcome 8,000 more people into training.

I also know that the member would never want to leave the impression that these are the only supports that are available to those who are looking for a job. In the supplementary, I'll be quite happy to share what some of those supports are, to those who—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mrs. Elizabeth Witmer: Our office has been inundated with people walking in, faxing, e-mailing, demonstrating and telling us they are being treated in a cavalier and disdainful manner.

I ask you today, Minister, why did you break your promise of retraining to these unemployed men and women? Will you, today, demonstrate fairness and compassion and accept the applications of those who had submitted them under the old rules, and jumped through about eight months of hoops to qualify?

1110

Hon. John Milloy: I would like to inform this House that there has been no one who has been accepted into the Second Career program who has not proceeded with their training going forward. It is absolutely wrong to somehow represent that the opposite is true. The fact of the matter is, in the Kitchener–Waterloo area alone, 1,107 people have enrolled in Second Career training since June 2008. The Second Career program is an application-based program. It is not for everyone, but for all those Ontarians who are looking for jobs we have a variety of services: job-finding clubs, resumé-writing workshops, interview preparation courses, Job Connect, literacy and basic skills, career preparation and counselling, targeted wage subsidies.

It's a good thing for those thousands of people who are part of this training program that we did not listen to the honourable member and her party, who were calling for us to end the program and did nothing but criticize and mock it for the past two years.

INFRASTRUCTURE PROGRAM FUNDING

Mr. Peter Tabuns: My question is for the Minister of Infrastructure. The Auditor General's report this week reports that very little of the money that has flowed to municipalities for infrastructure has been going to transit, roads and homes; that, in fact, for the 2007-08 year, only 6% of the province's \$900 million in municipal infrastructure has been used by municipalities. Tens of thousands of Ontario families are struggling with the recession. Why isn't your government doing more to make sure that those families are getting the jobs they need?

Hon. Gerry Phillips: My colleague here, the Minister of Finance, in the budget announced, I think, the most ambitious infrastructure program certainly in Canada and in the history of the province—\$32 billion. You should be aware, and probably are aware, that all of this is on our website.

You mentioned transit. Honestly, no government has been as aggressive in support for public transit as this government, whether it be the extension to the Spadina subway; in my area, work beginning on the Sheppard extension; the support for Metrolinx transit projects; and right across Ontario.

I think the public probably understands that no government has put support for rapid transit and transit like we have. That's part of our green energy plan and part of creating—

The Speaker (Hon. Steve Peters): Thank you. Supplementary.

Mr. Peter Tabuns: Well, I'll give you this: You're very aggressive about making announcements, but the

reality is, of the 25 municipalities that the Auditor General examined, only two had used all their funding and 15 municipalities hadn't spent any of their infrastructure money.

You're saying that you can spend \$32 billion over the next few years. How can the people of Ontario believe that when you can't even flow a billion dollars and get people back to work?

Hon. Gerry Phillips: I announced here in the Legislature about three weeks ago—

Interjection: You announced.

Hon. Gerry Phillips: No, no. You've got to listen to the answer. We record how we're doing on each project. We've got 2,600 projects under way out there. We are moving forward aggressively. We measure where we stand on them, how much progress we're making.

I repeat to the public: a \$32-billion infrastructure program over two years—very aggressive leadership in that area. The projects are under way. All you've got to do is go on the website to see the progress on them.

So I'm actually quite pleased with the progress we're making. As I said here in the Legislature about three weeks ago, there's lots to come in the next year and a half to continue to create jobs.

AFFORDABLE HOUSING

Mr. Jeff Leal: My question is for the Minister of Municipal Affairs and Housing. We've seen a major commitment from all levels of government to deliver more housing to those who need it most. At the end of the day, Ontarians are not looking for bickering between the different levels of government. They want us to work with each other to deliver housing for them.

There are seniors on fixed incomes who need a safe, clean, affordable place to live. There are young families who want to see their children succeed and need our help to ensure that they get off to the right start. These are some of the people who will benefit from our commitment to housing.

When the minister speaks to the House, he'll often speak about the investments we're making using the large province-wide numbers. Frankly, \$1.2 billion sounds like a lot, but how does this translate into our communities? Minister, I want a straight answer and no spin.

Hon. Jim Watson: With friends like that, absolutely.

I welcome the question from the honourable member, and it's true: We often do speak about the large number, \$1.2 billion. But what it translates into is housing and providing a home for some of the most vulnerable people in our society. Earlier this fall, 48 housing units were announced by the honourable member in Peterborough. Next week I'll be joined by my colleagues from Ottawa in announcing a very important project for victims of domestic violence in our hometown of Ottawa, and in Burlington, 65 homes are being built now for low-income seniors. These are investments that are not only helping the most vulnerable; they're creating 23,000 jobs in the province of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jeff Leal: That was a great answer. I appreciate the update. As you said, it's important to always remember that there are people we're doing this for. I'm proud that in my riding, as a result of the extension of the affordable housing program, 71 new homes will be built and over 1,000 homes will benefit from the renovations made.

Our government—and you, as Minister of Municipal Affairs and Housing—have championed the positive relationship that we've built with our municipal partners. It is a relationship defined by historic consensus. A report announced that last year they began the uploading of a number of services. I want to know what work specifically has been done to foster that positive working relationship with municipalities.

Hon. Jim Watson: I'm proud of the work that we've done to foster a much more productive and positive relationship with the municipal sector, whether it's through the memorandum of understanding, the uploading or the record amount of infrastructure money that we brought down to the local level. It's a track record that we first started when we had the honour of forming government in 2003.

In the spirit of Christmas, let me quote someone who normally does not support our government when she said, "We applaud the province for signing this new Canada-Ontario affordable housing agreement. Long-term partnerships such as this are needed to ensure income and housing security for all members of society."

"Halton region is delighted the province of Ontario is pursuing partnerships with municipalities to deliver improved access to provincial services and programs."

Who said this? Let me just check: Joyce Savoline, regional chair for Halton. I thank the honourable member, who is now my critic. She was right then. She's not always right now, but I appreciate her sentiments.

TOURISM

Mr. Robert W. Runciman: My question is to the Minister of Tourism. Minister, as I'm sure you know, the Tourism Industry Association of Ontario commissioned a study to determine the HST impacts on different segments of tourism in the province because, as the association said, "The impacts on tourism have either been overlooked or not considered." The study shows that the HST will result in costs paid by visitors increasing as much as 44%. The HST will result in widespread increases on visitor-related goods and services, causing dramatic price jumps for travellers.

Minister, you're supposed to be the advocate for the tourism sector around the cabinet table. How could you let this damaging tax go forward without raising alarm bells? What makes you think you can get away with failing to stand up for the sector that you were appointed to represent?

Hon. Monique M. Smith: I'd like to thank the honourable member from Leeds–Grenville for the opportunity

to respond and to wish him a Merry Christmas and a Happy New Year, as we spend a lot of time together: We're both House leaders and he's also my critic.

As the member knows, the report or the letter that he quotes from is far outdated. We have been working very closely with the tourism sector since the introduction of the HST in the spring budget, on a number of fronts. Our spring budget allocated \$40 million in ongoing annual funding to support the regional destination marketing in Ontario's tourism regions once they are established. Since that time, we've worked with the sector in supporting them and ensuring a further \$25 million annually to transition to the new structure and to allow for our tourism partners to settle into the new structure. We've been working closely with them. We think this is going to—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Robert W. Runciman: It was a study and not a letter, and it was done quite recently. Minister, the study ran a number of visitor scenarios, and the findings should have been alarming to you and your cabinet colleagues. For example, for a weekend getaway for two visiting Niagara-on-the-Lake and the Shaw Festival, taxation as a per cent of total costs jumps 44%; a one-week camping holiday for a family of five, up 33%; a three-day family ski holiday, up 25%. The Canadian Resort Development Association says that the HST completely takes away the province's competitive edge locally and internationally.

Minister, you've failed to do your job. What makes you think you can get away with abandoning the people you're supposed to fight for by supporting a tax grab that will do significant damage to an already struggling industry?

1120

Hon. Monique M. Smith: I just want to reiterate that we have been working closely with this sector and addressing their concerns.

I'd like to quote Dick Brown, the executive director of the Ottawa Gatineau Hotel Association, who said on December 5: "At the end of the day, the HST could turn out to leave us as well off or better off than we are today. I think it's a great opportunity for Ottawa."

While we are on quotes, I always think it's important to remind my friend, who sometimes forgets where he was not that long ago: "Historically"—this is quoting Mr. Runciman, the member for Leeds–Grenville—"the Progressive Conservatives have supported the concept of the HST," and that was in the Brockville Recorder and Times on December 8, 2009, a mere two days ago.

I think we're all very clear on where the opposition party is on this, and I think that the tourism sector will be well served by this new tax structure, including all the corporate taxation cuts that will greatly assist them—

The Speaker (Hon. Steve Peters): Thank you. New question.

HEALTH CARE FUNDING

Ms. Andrea Horwath: My question is to the Minister of Health. Over the past three months, New Democrats

have regularly raised the issues of health care cuts in the Niagara region. Those cuts continue to this day. The Niagara Health System recently announced the closure of 39 hospital beds: 22 in Welland, 10 in Port Colborne and seven in Fort Erie. Fort Erie and Port Colborne already had lost their local emergency rooms as well.

When it comes to health care, my question is this: Why are Niagara residents being treated like second-class citizens?

Hon. Deborah Matthews: Sometimes there's a healthy debate in this House and sometimes there's just a blatant misrepresentation of the facts. This one—

Interjections.

The Speaker (Hon. Steve Peters): Thank you.

Hon. Deborah Matthews: I welcome the opportunity to correct the member opposite. We have made substantial investments in health care right across this province. That is true in the Niagara region, as true as it is anywhere else.

We not only have spent money; we have seen results. We have well over 800,000 more people who have access to family health care. We've increased hospital funding by well over 40%. We're seeing shorter wait times. People are getting access to services much more quickly—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Andrea Horwath: The facts speak for themselves. It's as if Niagara residents are being made to pay for this government's health care misspending—the billion-dollar eHealth scandal, precious health dollars flowing into the pockets of well-connected insiders, bloated health care executive salaries hidden in hospital budgets, and massive waste in the assistive devices program.

The McGuinty government seems to be spending health care dollars on everything but front-line services. Until it can get its health care spending in check, will the minister place an immediate moratorium on all cuts to beds, to layoffs and to front-line staff in Niagara?

Hon. Deborah Matthews: I think it's important that people understand that our health care system is much, much healthier now than it was before. We are focusing on supporting our hospitals. We're also really making important investments in community-based supports. We're actually trying to reduce the reliance on hospitals, because if people don't need to be in the hospitals, then we don't want them to be in the hospitals. We want to provide supports in the community, at home, in other places, where they can get the right amount of support at the right time.

As people stay shorter periods of time in hospitals, we actually are decreasing our reliance on hospitals. It's part of our strategy towards a sustainable health care system in this province, so we're making significant investments to improve the quality of care for Ontarians.

We understand that change is difficult, but—

The Speaker (Hon. Steve Peters): Thank you. New question.

WILDLIFE PROTECTION

Mrs. Carol Mitchell: My question is for the Minister of Natural Resources. While certain members of the Legislature have been preoccupied with childish games and petulant antics, Ontarians have been focused on several very important questions: What criteria does Santa use to determine if one is naughty or nice? Does Santa prefer oatmeal or chocolate chip cookies? Does Santa have an enhanced driver's licence for his sleigh?

Children are especially concerned with Santa's reindeer. They know Ontario's north is home to Donner, Dasher, Blitzen and their cousin the caribou. Ontario's children cannot in good conscience settle off to sleep on Christmas Eve without knowing that their government is doing all it can to protect and support these majestic animals. Would the minister assure this House, Ontario's children and Santa Claus that we are?

Hon. Donna H. Cansfield: I'm pleased to respond to the member from Huron-Bruce, of course. This is of paramount importance at this time of year, and Santa needs to know that that caribou and his cousin the reindeer are protected—in particular, the flying reindeer, and Rudolph the most.

But the most important thing that we're able to do is to provide protection for habitat and protection for the reindeer itself. This is particularly important to give Santa some peace of mind, as he is doing that list that he has to do. He has to pick out who's been naughty and who's been nice. Now, Mr. Speaker, you know how to do that and you do that very well, so you know how difficult it might be for Santa to do. So he's got to have peace of mind that in fact those reindeer are protected, and protected they are and will continue to be for many years to come, for all the children in Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Carol Mitchell: I trust that the minister is doing all she can do to avoid appearing on the "naughty" list.

Children around Ontario are looking forward to lighting the menorahs, the kinara candles and Christmas tree lights. They are decking the halls and jingling bells. The young and the young at heart are eager for the joyous season to get into full swing.

So many families will be gathering Christmas morning around Christmas trees grown right here in Ontario. It's a well-established fact that the finest Christmas trees in the world are Ontario trees. Spruce, pine and fir trees from Ontario are gorgeous, but without action from our government, these treasures could be at risk. Can the minister please assure this House that generations to come will enjoy Christmas the right way, gathered around an Ontario tree?

Hon. Donna H. Cansfield: I'm pleased to rise and respond. The Ministry of Natural Resources has an extraordinary program of silviculture to ensure that we renew this resource on a continual basis.

The Ontario fir tree or the balsam or the spruce has for years been a tradition—

Mr. John Yakabuski: What about the Scotch pine?

Hon. Donna H. Cansfield: —or Scotch pine—a tradition for families. We encourage people to purchase a natural tree. That helps the industry. It reassures that we are continuing to support our forestry industry, and at the same time recognizes that this is an Ontario tradition.

So, to everyone in the House, may I wish them the very best for the holiday season. Merry Christmas, and please remember: Buy an Ontario tree.

DRIVER EXAMINATION CENTRES

Mr. Jim Wilson: My question is for the Minister of Labour. I want to just say that this naughty government has done nothing to address the ongoing DriveTest strike, which is now in its 17th week and affecting over 400,000 Ontarians, and that number grows by over 4,000 people every day.

Throughout this session the government has dithered, delayed and denied action while driving instructors, small businesses and truck drivers are at risk of losing their jobs, just before Christmas.

So I ask, will the Minister of Labour agree to swift passage of my bill or bring in his own bill to end the strike today so that people can get back to work, pay their bills and feed their families? What makes you think that doing nothing is a fair option for the people affected by this strike?

Hon. Peter Fonseca: I want to thank the member for the question, because it gives me an opportunity to speak about our labour relations record in this province. We have the best labour relations record in this province in over 30 years. The reason that we have that type of labour relations record, where over 97% of agreements are done without any work stoppage, is because we have some of the best mediators in the world. Those mediators are there to assist, especially in difficult situations and in difficult negotiations like we have right now with DriveTest.

I know that the parties are working with the Ministry of Labour mediators, and they're scheduling meeting dates for the very near future. I say to the member, look at our labour relations system. It's one that works, and others look to it.

1130

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jim Wilson: This House is set to rise for at least nine weeks. After today, there will be no legislative means available to end the DriveTest strike. By the time this House returns in mid-February, more driving instructors will be out of work, driving schools will be forced to close their doors, new immigrants won't be able to get the jobs that they were promised when they came to this country, and truck drivers won't be able to upgrade their skills. So I ask again: Why is the government being so ignorant to the plight of these people? Why won't you act today? What makes you think that doing nothing is fair to the over 400,000 people directly affected by this strike?

Hon. Peter Fonseca: From what the member has said, I can understand all those who have been inconvenienced by this work stoppage. But the member knows full well

that the best deal, the most productive deal, the most stable deal is one that is negotiated at the bargaining table. As I just mentioned to the member, through the assistance of the Ministry of Labour mediator, the parties are going to be getting back to the table and working out their differences. I trust that they'll conclude and do everything they can with a new collective agreement. This is the right way to move forward. What the member is saying, what the member is condoning, is not the correct manner in which to move forward. We have great labour relations in this province. We will continue to work with employees, with labour and with employers.

HERITAGE CONSERVATION

Mr. Peter Tabuns: My question is to the Minister of Culture. The minister was asked yesterday in question period what action she would take to protect the view of the Ontario Legislature. The view of this building is threatened by a development on Bloor. She refused to commit to any action, ignoring calls for action from the chairman of the Ontario Heritage Trust, Lincoln Alexander.

If the provincial government itself refuses to step forward to protect the dignity of the Ontario Legislative Building, who does the minister expect really will look after our heritage?

Hon. M. Aileen Carroll: I would strongly disagree with the honourable member's suggestion that I am ignoring the chair of the Ontario Heritage Trust. That would be most inaccurate, because I have fully appreciated the work that he has done and the advice that he has rendered, along with that very venerable agency and the board.

In this case, a letter has been leaked, and it has caused confusion on the other side of the House—confusion that is unwarranted. I indeed value his opinions. I think it's important we note that while there is a great deal of expertise at the Ontario Heritage Trust, there are a variety of views among heritage experts on whether or not the visual context of a cultural site should be protected; indeed, whether or not it is our prerogative to step into the planning of this city in a variety of dimensions. So I—

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: Neither the Minister of Culture nor the Ministry of Municipal Affairs and Housing even bothered to show up at the preliminary hearing at the Ontario Municipal Board. If indeed she was listening to Mr. Lincoln Alexander, I think that she would have taken a different position. The government has refused to declare provincial interest in protecting the dignity of the Legislative Assembly. It has not sought official status in the OMB hearings. Unless the provincial government steps forward and declares this hearing to be of provincial interest, representatives of the city and other heritage advocates have little hope of protecting the dignity of the Legislature at the OMB. Why is the minister refusing to take the necessary actions to protect the unique heritage and architectural role of the Ontario Legislature in the city of Toronto?

Hon. M. Aileen Carroll: Au contraire, I think we have done much to protect heritage here in this city, and throughout the province as well. Queen's Park is a very important heritage landmark in the province; indeed, it symbolizes our parliamentary democracy. I know, as I said yesterday, that all members of this House value the treasure in which we work and the heritage that it represents. I think it must be remembered that crown properties, just in case that is being suggested, are ineligible for designation by the province or municipalities under the Ontario Heritage Act.

With regard to whether or not the municipal affairs department, or mine, chooses to engage to ask for amicus curiae status at an Ontario Municipal Board hearing is our choice to render. Since that hearing is now under way, I do not intend to speak further on that dimension of this matter.

OLYMPIC TORCH RELAY

Mr. Jean-Marc Lalonde: My question is to the Minister of Tourism. Minister, I'm very excited to tell this House that tomorrow afternoon, December 11, the Olympic flame, as part of the torch relay, will be welcomed to Ontario for the first time as it enters the town of Hawkesbury in the beautiful riding of Glengarry-Prescott-Russell. I am delighted to be participating in this historic and very important occasion and so proud that Hawkesbury will be featured on national and international media. The Olympic torch is a very important part of the games.

Can the minister tell the House what the McGuinty government is doing in support of the torch relay in Ontario?

Hon. Monique M. Smith: Thank you to the member for Glengarry-Prescott-Russell, who's a huge proponent and supporter of the Olympic torch run in Ontario. The Olympic games in Vancouver this year are really Canada's games, and we are excited to be a partner in this.

The Olympic torch relay will cover 6,000 kilometres in Ontario and travel through 232 Ontario communities. In 42 of those communities, we will be hosting celebration sites. We will also be supporting 20 First Nations communities which will be hosting blessings of the flame as they go through their communities. We are supporting 38 of our communities with a \$15,000 contribution. Another four will be receiving a \$35,000 contribution; they will be celebrating in a broader way for the region.

The torch will run within 100 kilometres of 92% of the population in Canada. That gives everyone an opportunity to come out and celebrate the flame. I am very excited to be in Hawkesbury tomorrow morning to welcome the flame to Ontario with my colleague Jean-Marc Lalonde and to be able to celebrate the torch throughout Ontario and with all Ontarians. As we lead into the Christmas season, this is a great way to celebrate with your community.

I just want to take this opportunity, as I'm the last one up this morning, to wish everyone a very happy holiday,

Merry Christmas and Happy New Year. Bonne année, joyeux Noël.

The Speaker (Hon. Steve Peters): There being no deferred votes, this House stands recessed until 1 p.m. this afternoon.

The House recessed from 1138 to 1300.

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): On behalf of the member from Toronto Centre, I would like to take this opportunity to welcome two guests who will be joining us today: Mr. Rick Bonnette, the mayor of Halton Hills, and his father, Louis Bonnette. Welcome to Queen's Park.

MEMBERS' STATEMENTS

LEGAL AID

Mr. Norm Miller: I rise today to raise concerns over recent changes proposed to legal aid services in the Parry Sound-Muskoka region. While I understand services are to be made available through enhanced Internet and telephone service, I'm concerned about the accessibility of legal aid services. Not all Ontarians have embraced technology, and of course nothing can replace a face-to-face interview.

I've learned that legal aid offices in Bracebridge and Parry Sound will move into courthouse space and be open by appointment only on limited days. I know that the Bracebridge courthouse is currently bursting at the seams. Will it be able to physically accommodate the new demands? Will the reduced staff members proposed, and the limited hours, be able to satisfy the demand for legal services?

How will those people who are most vulnerable find out about the new 1-800 number? What happens if they have problems communicating? In fact, even if you do learn of the new 1-800 number, in many cases you will still need to meet someone face to face to obtain a legal aid certificate.

While I recognize that the intention is to control costs, I'm concerned that residents in our area will see reductions in services, just as we have seen in Burk's Falls, where cost savings are borne on the shoulders of residents through the closure of the Burk's Falls and District Health Centre.

I'm concerned that once again the people of Parry Sound-Muskoka will be negatively affected by the actions of the McGuinty government.

GOVERNMENT'S RECORD

Mr. Rosario Marchese: I just wanted to take this opportunity to express my disappointment with the government around two particular issues.

One of them has to do with the harmonization of the sales tax. It's not because I'm just so profoundly opposed

to it, because I think flat taxes are bad, and not just because the government has given away close to \$5 billion to the corporations and has eliminated \$1.2 billion in progressive income taxes, which are based on ability to pay—not just because of that, but because they have simply eliminated the proper debate that we should have for hearings.

I recall in the 1990s that we used to have hearings that lasted a whole month, and we used to get beaten up by our supporters and our foes. Today, we have hearings that last a day, a half a day, two days, and it's an extension of what Mike Harris used to do in the old days. I don't know how you could live with yourself.

The other one is Bill 175, the labour mobility bill, which I have profoundly opposed, because I really believe it's an extension of NAFTA. I believe it's not just going to wear down our standards overall in terms of the way we hire people from outside the province, but it's a trade liberalization bill that is going to affect our ability as a province to manage our own affairs.

TAXATION

Mr. Rick Johnson: Starting as soon as January 1, you will see a reduction in the amount you pay in personal income tax. On the first \$37,000 you earn, our government has cut the taxes you pay by 17%.

A relief package will accompany this cut, which will help seniors and low-income families in my riding the most. The other day, I met with a senior on a fixed income and explained how the relief package, coupled with these tax cuts, equals the taxes paid on more than \$12,000 worth of newly taxed purchases. Their inner skepticism soon changed to a sigh of relief.

These are challenging times for people in Haliburton-Kawartha Lakes-Brock, and indeed across the province. In order to heal our communities, heal our cities, heal our great province, we must forge a new path to future prosperity.

For our neighbours, our families, our children and their children, we are moving ahead with a plan that will create some 591,000 jobs in the coming years. This plan will offer a lifeline to those seeking work.

This plan will buttress existing businesses by stabilizing our marketplaces with thousands of new consumers while enabling them to find growth in a more competitive tax environment.

My friends, the economy that we once knew is not coming back. As hard as it has been, it will be that much harder if we bury our heads in our sleeves of denial and refuse to accept the new world economy.

My friends, this is supported by our local chamber of commerce because this plan is good for small businesses. I have heard positive feedback from poverty groups because this plan is aimed at supporting the most vulnerable in our society. For those reasons, this plan is indeed a comprehensive reform package—

The Speaker (Hon. Steve Peters): Thank you.

ABORIGINAL LAND DISPUTE

Mr. Toby Barrett: On February 28, 2006, the subdivision in Caledonia, Douglas Creek Estates, was occupied by force and, three and a half years later, the site remains occupied while Mr. McGuinty picks up the tab.

According to an FOI, I regret to report that the DCE bill gets higher. Given that they're paying the bills, people ask what other costs are being borne by taxpayers for Douglas Creek Estates. Why has government paid \$213,000 for soil excavation and demolition? Why pay \$50,000 for erosion control? Why shell out \$2,000 for "no trespassing" signs that allow no one but occupiers on the site, not even OPP? Why \$103,000 for fencing and \$131,000 for an archaeological assessment? Property taxes over three years come in at \$152,000.

We've finally gotten Dalton to admit that taxpayers are footing the heat and electricity bills for the lone remaining house on the site occupied by militants, a house the occupiers have used as a base for intimidation, trespassing and assault. We already know McGuinty spent \$22 million of taxpayers' money to purchase the land.

I ask the Liberal members opposite: How much more do taxpayers have to pay for an invalid land dispute they're not even allowed to access? What makes you think you can get away with this?

INTERNATIONAL TRADE

Mrs. Amrit Mangat: On Monday, November 30, I had the pleasure of attending the Ontario Chamber of Commerce's reception to honour our government's trade mission. It was great to meet with participants and see their enthusiasm for the mission and the support for a strong relationship between Ontario and India. Our Premier and Minister Papatello are leading the mission of about 25 Ontario companies in the clean technology sector.

I'm pleased to share with you that the mission is already a great success. On Monday, the Premier announced that Ontario companies have signed \$200 million in agreements with partners in New Delhi. I'm proud to say that one of the companies involved in the agreements, Admira Distributed Hybrid Energy Systems, is located in my great riding of Mississauga-Brampton South.

I look forward to seeing the great success of our government's initiatives towards enhancing Ontario's trade partnership with India.

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr. Robert W. Runciman: Yesterday, the Standing Committee on Regulations and Private Bills considered Bill 132, An Act to amend the Liquor Licence Act. The bill was designed to assist Ontario's rural economy and the province's farmers' markets by allowing the sale of fruit wines at those markets, a practice already carried on in four other provinces and many neighbouring US states.

When the bill was debated in the Legislature during second reading, the Liberal members, including the parliamentary assistant to the Minister of Agriculture, spoke in support of the legislation. The Minister of Agriculture also wrote a letter supporting the sale of fruit wines at farmers' markets.

Regrettably, that support was as sincere as Dalton McGuinty's promises not to raise taxes. At committee, the Liberals sided with big business, also known as big donors—the spirits producers and alcohol import businesses—and killed the bill along with the hopes and dreams of many.

Without one word of explanation, Liberal members voted down every section of the bill in a display of duplicity that has become all too common with this Liberal government. It was a shameful display that, at the end of the day, does further damage to small-town, rural Ontario.

1310

TAXATION

Mr. David Zimmer: Yesterday, 253 members of the government in Ottawa voted to approve the HST. Included in those 253 members were 24 federal Conservative members who share 24 ridings with their provincial cousins who are sitting here. Those federal Conservative members who voted in support of the HST did this province a service. They are helping to build jobs; they are helping to build our economy.

Those 24 federal members in Ottawa included the Conservative member for Niagara West–Glanbrook, represented by Mr. Hudak here; the Conservative member for Nepean–Carleton, represented by Ms. MacLeod here; the Conservative member for Kitchener–Waterloo, represented by Ms. Witmer here; the Conservative member for Newmarket–Aurora, represented by Mr. Klees here; the Conservative member for Leeds–Grenville, represented by Mr. Runciman here; the Parry Sound Conservative member, represented here by Norm Miller; Whitby–Oshawa, represented here by Ms. Elliott; Simcoe–Grey, represented here by Mr. Wilson; Carleton–Mississippi Mills, represented here by Mr. Sterling—virtually the entire front bench of the Conservative Party of Ontario. Their federal cousins in Ottawa saw the wisdom in supporting HST.

HANUKKAH

Mr. Eric Hoskins: It's my pleasure to speak today about the important and beautiful celebration of Hanukkah, the festival of lights, which begins tomorrow. In Hebrew, the word "Hanukkah" means dedication. The celebration dates back to the rededication of the holy temple in Jerusalem following the Jewish victory over the Syrian Greeks in 168 BC.

At that time, the Jewish people were being denied the right to practise their faith, and even though they were outnumbered, they fought valiantly and won back their

religious freedom. When the holy temple was reclaimed, the people wanted to celebrate their victory by lighting the temple's menorah for eight days. Unfortunately, they had only enough oil to last one day. So they lit the menorah, and miraculously, the oil lasted all eight days, and the menorah remained lit throughout the celebration.

Tomorrow night, members of the Jewish community in my riding of St. Paul's, as well as across Ontario and around the world, will commemorate this important holiday by lighting the first candle on their menorahs, until all eight are lit on the eighth day.

On behalf of the Ontario government, I would like to wish the Jewish community in Ontario a very happy Hanukkah.

MEMBER FOR TORONTO CENTRE

Mr. George Smitherman: Mr. Speaker, before the House sits again, I expect to resign my seat as MPP for Toronto Centre. When I first arrived in this place 10 years ago, I set out on a mission to serve this diverse riding with passion and dedication. Much progress has been made, and thanks especially to the confidence of my leader Dalton McGuinty, I have been provided with an extraordinary opportunity to serve my province, and in so doing, I have had my life deeply enriched by the people I have met and the remarkable places I have visited. Each of us privileged to serve in this place benefits from the companionship of members on all sides. My experience has not been any different.

As much as I am enthusiastic about the new pursuit I am to undertake in the new year, I'm saddened that the relationships I have made here will be renewed somewhat less frequently. Yet I have noted that the mayor of Toronto does frequently attend here, sometimes even without cap in hand.

I wish to acknowledge the many staff who have dared to work with me in service to Ontario and to the people of Toronto Centre.

Mr. Speaker, I close with thanks to you and to the staff of the Legislative Assembly, and most especially to my family and to the people of Toronto Centre who expressed confidence in me for three successive elections. Thank you.

The Speaker (Hon. Steve Peters): As a member of the class of 1999 to the member from Toronto Centre: From the 1999 alumni, we wish you all the best.

Mrs. Elizabeth Witmer: On a point of order, Mr. Speaker: Since I've had the opportunity to interact with the member who has just indicated he's going to be leaving us to pursue another political career, I just want to extend to him, on behalf of our caucus, our sincere appreciation for his dedication and commitment. I don't think there was any time that I wasn't well aware of the fact that he personally had a sincere commitment to the people of this province and of his riding, and I want to thank him very much.

Mr. Michael Prue: On the same point of order: To the member from Toronto Centre, it's been a slice. It's

been amazing watching a man from this side of the House become a man from that side of the House. But on both occasions I have to say that his passion and his understanding of what goes on here has always come to the fore.

I wish him all the best of luck in his new endeavour. I wish him the best of luck going into municipal politics; many of us have come from that sphere. I know he was involved with Barbara Hall in the past, but not as an elected politician. I think he will find, over time, that it's a very difficult job to which he aspires. All I can say is that the lessons you have learned here and the passion you have shown here will stand the people of Toronto in good stead, should they decide upon your candidacy.

Mr. Dave Levac: On the same point of order: In 1999, I had the opportunity of meeting this gentleman, and I want to tell you that beyond the political life we lead here, his passion was infectious. The most important thing I have to say today is that I say goodbye to a friend. This gentleman has taught me an awful lot about man's humanity to man and the capacity for him to believe strongly in the people he represents.

I want to say to all the members here that regardless of what political beliefs you have, what political stripe you have, what you believe in terms of the service this man has given his community and his province, we know that we've all seen everyone pay tribute to a gentleman, a man who has passion about this place, a man who has passion about his province, his riding and the people he serves, in particular those who are the underdogs. I have watched him work, and I can tell you that he believes strongly in lifting people up and not putting people down. God bless you, my friend.

The Speaker (Hon. Steve Peters): Perhaps the member needs to take some lessons from the member from Toronto Centre and understand that if you are going to speak, you need to be in your seat. I noticed the member from Toronto Centre had some difficulty finding his seat when he arrived today.

Mr. David Zimmer: On the same point of order: There's one thing that I think George Smitherman will go down in memory for, both in this chamber and in the city of Toronto. Before I was elected in 2003, I was chairman of the Toronto Community Housing Corp. The Toronto Community Housing Corp. decided to undertake an enormous project, the redevelopment of Regent Park. I can say—and I want to say to you, Mr. Smitherman—that without your help at that time, before I came into the Legislature, and without your ongoing support while you were here for the redevelopment of Regent Park in your riding, which I know is very dear to you, it would not have happened. On behalf of all the residents of Regent Park, I want to thank you in this chamber for that initiative.

The Speaker (Hon. Steve Peters): We do wish you well, and I think it demonstrates to all members of the House that we can rise to the occasion and move beyond some of the partisanship that exists in here, and use it as an opportunity to pay tribute to a good member.

1320

INTRODUCTION OF BILLS

LIQUOR LICENCE AMENDMENT ACT (UNLAWFUL WEAPONS IN BARS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES PERMIS D'ALCOOL (ARMES ILLÉGALES DANS LES BARS)

Mr. Colle moved first reading of the following bill:

Bill 238, An Act to amend the Liquor Licence Act with respect to weapons on licensed premises / *Projet de loi 238, Loi modifiant la Loi sur les permis d'alcool à l'égard des armes se trouvant dans un local pourvu d'un permis.*

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Mike Colle: This bill amends the Liquor Licence Act to add a new requirement that an applicant for a licence to sell liquor demonstrate that the applicant is able to take responsible steps to prevent the presence of unlawful weapons on the premises in respect of which the licence is sought. Failure to meet the new requirements also becomes one of the grounds to suspend or revoke a licence to sell liquor. If the registrar issues a proposal to suspend or revoke the licence on this new ground and an unlawful weapon was present on the premises, the bill provides for mandatory interim suspension of the licence, which, by the operation of the act, can last a maximum of 15 days before a hearing is required.

EMPLOYMENT STANDARDS AMENDMENT ACT (LAY-OFFS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (MISES À PIED)

Mr. Paul Miller moved first reading of the following bill:

Bill 239, An Act to amend the Employment Standards Act, 2000 with respect to lay-offs / *Projet de loi 239, Loi modifiant la Loi de 2000 sur les normes d'emploi à l'égard des mises à pied.*

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Paul Miller: Currently, the Employment Standards Act, 2000, provides that excluded weeks are not counted in some situations in determining whether a person has been laid off. An excluded week is defined as

a week during which an employee does not work for various reasons, including a lockout. The bill amends the act so that if an employee does not work for a period of time due to lockout, the time is not included for the purposes of determining whether the week is an excluded week.

This is important. There are people out there in a situation—in Nanticoke, for one—who are without any income whatsoever because of these oversights.

HIGHWAY TRAFFIC AMENDMENT ACT (IGNITION INTERLOCK DEVICES IN SCHOOL VEHICLES), 2009

LOI DE 2009 MODIFIANT LE CODE DE LA ROUTE (DISPOSITIFS DE VERROUILLAGE DU SYSTÈME DE DÉMARRAGE DANS LES VÉHICULES SCOLAIRES)

Mr. Levac moved first reading of the following bill:

Bill 240, An Act to amend the Highway Traffic Act to require school vehicles in Ontario to be equipped with ignition interlock devices / *Projet de loi 240, Loi modifiant le Code de la route afin d'exiger que les véhicules scolaires en Ontario soient munis d'un dispositif de verrouillage du système de démarrage.*

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Dave Levac: This bill would require prescribed school vehicles to be equipped with an approved ignition interlock device commonly known as an alcolock. It's designed to keep our kids safe in school buses when they travel to and from school.

INTERNATIONAL HUMAN RIGHTS DAY

Hon. Brad Duguid: Mr. Speaker, I believe that we have unanimous consent that up to five minutes be allotted to each party to speak on International Human Rights Day.

The Speaker (Hon. Steve Peters): Agreed? Agreed.
Attorney General.

Hon. Christopher Bentley: It is a privilege to stand on behalf of Premier Dalton McGuinty, the government of Ontario and members of my caucus.

We are today marking International Human Rights Day. It's the 61st anniversary of the Universal Declaration of Human Rights by the General Assembly of the United Nations—a declaration which speaks to the very principles of human rights, which recognizes that you cannot have freedom and peace in the world unless and until you recognize the inherent dignity, worth and equality of all peoples. That year was 1948; 1948 is a long time ago, and we have come a long way in the province of Ontario since then. We are right to stand here in the

province of Ontario and celebrate who we are and how far we have come, but not for a moment believe that we can rest in addressing the continuous struggle to ensure all are respected in our society.

It was 1948, in Dresden, Ontario, when a carpenter, a veteran of the Second World War, attempted to be served breakfast. He attempted to be served breakfast in Dresden, Ontario—which is the terminus of the Underground Railroad, that great route to freedom for slaves from the United States—but he was denied service. He was denied service for no other reason than that he was a black man. He refused to accept his denial. He refused to accept it and struggled for a change in the law. Seven years later, the Legislature of the province of Ontario, under a Progressive Conservative government, brought in the fore-runner legislation to our Human Rights Code; that was the mid-1950s. A year later, Hugh Burnett was served in that cafe in Dresden, Ontario.

In 1962, the government of Ontario brought in the Human Rights Code, and every single government under every single party since then has not only stood by the legislative principles of human rights but has built upon them. They have added provisions; they have added strengths; they have stood in defence of our legislative protections and approach to human rights. It has been all parties, all peoples. It is never the fashion of the moment; it has been a shared determination.

Every party can point to the part that they have played. We would stand and point to the development of the human rights system which now consists of three parts. One is a legal access support centre—the first time that human rights complainants in the province of Ontario have had a place to go to get free legal assistance so that they can pursue their human rights complaints. We also have a tribunal which will allow complainants direct access to protection and a commission which will look at systemic issues. But every party has had a part in this struggle, which, at its heart, is the legislation and a specialized enforcement mechanism.

As we stand today on the eve of the Olympics and we think about the magic of the Olympics, in which people from all over the world come to celebrate—they come once every four years, they come to celebrate and to work together, live together and play together for a period of two and a half weeks—we can say, with a great deal of pride, that in Ontario we have the Olympic experience every minute of every day. We have the Olympic experience not by accident but by design. We have the Olympic experience because we have a shared determination and a shared recognition that each one of us is only as strong as all of us, that the rights of one of us are the rights of all of us, and if anybody attacks or challenges the rights of one of us, they attack or challenge the rights of all of us. We have a shared determination that today, tomorrow and forever, we will stand in the defence of the rights of all, we will stand in the defence of the inherent dignity of all, and we will stand and ensure respect for all. We will not rest for a moment on the achievements of the past. We will look forever to

the achievements and the potential of the future in the great province of Ontario.

1330

Mr. Ted Chudleigh: Today, December 10, 2009, marks the day when, 61 years ago in Paris, members of the United Nations General Assembly proclaimed the Universal Declaration of Human Rights.

Within this declaration, 26 of the 30 articles begin with the word "Everyone...." or they begin with the words "No one...." In so doing, they recognize that the fundamental principle of non-discrimination is at the heart of the UN declaration. This year, we recognize this foundation of human rights as we focus on the fight to end discrimination.

In 1951, the Ontario Progressive Conservative Party introduced the Fair Employment Practices Act and the Female Employees' Fair Remuneration Act. The Female Employees' Fair Remuneration Act was the first of its kind, not only across Canada but across the British Commonwealth. It was far from perfect, but it was a step in its time to address the inequality and discrimination experienced by women of the day.

Speaking to the bill on March 12, 1951, Premier Frost stated:

"The question we may ask ourselves, 'Is the principle sound?' It has been acknowledged by the highest authority, by the United Nations in the preamble to its charter and in the declaration of human rights. It has been recognized by the International Labour Organization. We, therefore, in Ontario ... believe that our legislation is a sound approach to this problem, and will bring justice to both men and women alike."

Ten years later, during the throne speech on November 30, 1961, Progressive Conservative leader John Robarts recognized, "In Ontario diversity has produced rewards, and conflicts. We must always be vigilant to ensure that this fortunate state of affairs remains with us and that every individual, regardless of race, creed or colour, has a full and equal opportunity to direct his life toward what he thinks to be the most rewarding objective."

He continued, "It should be a matter of pride of every honourable member of this House that our province has been a leader in the campaign against racial and religious discrimination." That quote would stand well in today's House.

In 1962, under Robarts' leadership, the government introduced the first provincial human rights code in Canada. As a province, we have come a long way. Today, Ontario's Human Rights Code has 15 enumerated grounds of discrimination.

However, despite how far we have come, we still have a ways to go to see the reality of non-discrimination. When human rights are violated, they continue to exclude people from their rightful participation in the economic, political, social and cultural life of our province.

United Nations Secretary-General Ban Ki-moon, speaking on Human Rights Day 2009, stated, "No country is free of discrimination. We see it everywhere, in many forms: old and new, covert and blatant, public

and private. It may appear as institutionalized racism, as ethnic strife, as episodes of intolerance and rejection or as an official national version of history that denies the identity of others. Discrimination targets individuals and groups that are vulnerable to attack: the disabled, women and girls, the poor, migrants, minorities and all those who are perceived as different."

We must, as a House, as a province and as a nation, remain vigilant in our fight to end discrimination. It is a reality that plagues and obstructs the lives of many around the world. Today, the PC Party recognizes the work of those who support and advocate for those whose rights continue to be violated, and we encourage everyone to remember, as written in the declaration, "the inherent dignity and the equal and inalienable right of all members of our human family."

Mr. Michael Prue: It is indeed a privilege and an honour to stand up on behalf of the New Democratic Party of Ontario to recognize this important day in history.

It was, as has been said, 61 years ago today that the Universal Declaration of Human Rights was adopted and proclaimed. Canada was one of the first signatory nations. The declaration was the first of its kind, a set of laws written to protect all human beings, irrespective of their nationality, their race or their religion.

On this day, 60 years after the signing, I want to emphasize one point because I think there's one sphere that we still have not fully explored or implemented into law, and that is section 25 of the Universal Declaration of Human Rights. It states, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

We have made remarkable strides in other aspects of human rights. In Canada, the Universal Declaration of Human Rights inspired the government to implement a host of human rights laws, both federally and provincially. Most significantly, in 1982, Canada saw the adoption of the Canadian Charter of Human Rights and Freedoms, which was designed to protect ordinary citizens. This marked a great change in our human rights history, as citizens successfully challenged laws on such issues as freedom of expression, pay equity and same-sex marriage.

I turn to the issue at hand because I think it's a very real issue. Canada, and particularly Ontario, needs to do more if we are to give full voice and weight to the proclamation which we have been so proud of for 60 years. I'm quoting from the Senate report which was released just yesterday. They were talking about poverty. There are some excellent quotes in here that I would like to share with the Legislature and the people of Ontario. The first is on page 70:

"The committee has heard that poverty and human rights (or their denial) are intertwined. A report of the UN Higher Commissioner of Human Rights describes the linkages:

"Poverty is not only a matter of income, but also, more fundamentally, a matter of being able to live a life in dignity and enjoy basic human rights and freedoms. It describes a complex of interrelated and mutually reinforcing deprivations, which impact on people's ability to claim and access their civil, cultural, economic, political and social rights. In a fundamental way, therefore, the denial of human rights forms part of the very definition of what it is to be poor."

"Closer to home, Quebec's legislation to combat poverty and social exclusion includes a preamble that refers explicitly to Quebec's Charter of Rights and Freedoms, and presents poverty as an obstacle to the protection of and respect for human dignity that is necessary in a society committed to rights and freedoms."

I say this because I think it behooves all members of this Legislature to look at how to enhance human rights and freedoms. One of those ways is the elimination of poverty. Much is said in this House about the elimination of child poverty, but we also know that many of our citizens live in poverty. And because they live in destitution, their human rights are often very much at risk. One only has to see the disabled, one only has to see new immigrants, one only has to see single mothers, one only has to see our First Nations communities to see that the intertwining of their human rights is somehow lessened because of their poverty and their inability to interact with governments or government agencies and to provide for themselves those things which are necessary for human dignity. I go on to quote from that same report, and I am mindful of the time:

"The standard under international human rights, which is the cornerstone of our protection of social rights in Canada ... is related to the application of what they call 'available resources.' That is, the maximum of available resources is to be applied to protect these fundamental rights.... Issues of growing poverty and homelessness in Canada are seen as egregious violations because in this country these are avoidable. They are not caused by a scarcity of resources. In fact, we have seen homelessness and poverty become increasingly worse as Canada has become increasingly richer."

I stand here in admiration and in support of the Universal Declaration of Human Rights. I ask all members to continue the fight which was begun 60 years ago and to entrench within their own hearts and souls the necessity of extending those human rights so that all Ontarians, all Canadians, all people, no matter where they live in the world, have the rights and the freedoms that only come with prosperity.

1340

PETITIONS

TAXATION

Mr. Jim Wilson: "Whereas the hard-working residents in Simcoe-Grey do not want a harmonized sales

tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000 ... electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I agree with the petition, and I will sign it.

RECONSTRUCTIVE SURGERY

Mr. Rosario Marchese: I am moving this petition on behalf of my colleague from Hamilton Centre:

"Whereas to cover the cost of reconstructive surgery when a patient has had extreme weight loss after bariatric surgery, as these surgeries are not covered under OHIP and are at present considered cosmetic;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That when patients have bariatric surgery and lose the required amount of weight and keep it off, they also have another set of health care issues that can be very costly to take care of. As these individuals lose weight, they end up with so much excess skin and fat pockets that no amount of exercise will take care of it. This excess skin and folds in the skin can cause anything from boils, cysts, skin infections and more that have to be cared for constantly in hospital emergency rooms and cared for by agencies like community care access centres. If preventative reconstructive surgeries are not approved, the constant medical care will cost the taxpayer much more money as said health issues would cost over time."

I support this petition.

SOCIAL SERVICES FUNDING

Mr. Bob Delaney: I have a petition sent to me by staff of the Port Credit Branch of the Royal Bank of Canada. I'd like to acknowledge Janine Henderson and Cathy Stacy for their work in collecting the signatures. It reads as follows:

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that

growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers....; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

I'm pleased to sign and support this petition, to ask page Valerie to carry it for me, and to wish you, Speaker, and the members of the table a very Merry Christmas and joyeux Noël.

RECONSTRUCTIVE SURGERY

Mrs. Elizabeth Witmer: I'm pleased, on behalf of Shelley Kennedy from Waterloo, to present this petition to the Legislative Assembly of Ontario:

"Whereas to cover the cost of reconstructive surgery when a patient has had extreme weight loss after bariatric surgery, as these surgeries are not covered under OHIP and are at present considered cosmetic;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That when patients have bariatric surgery and lose the required amount of weight and keep it off, they also have another set of health care issues that can be very costly to take care of. As these individuals lose weight, they end up with so much excess skin and fat pockets that no amount of exercise will take care of it. This excess skin and folds in the skin can cause anything from boils, cysts, skin infections and more that have to be cared for constantly in hospital emergency rooms and cared for by agencies like community care access centres. If preventative reconstructive surgeries are not approved, the constant medical care will cost the taxpayer much more money as said health issues would cost over time."

I'm pleased to do this on behalf of Shelley Kennedy.

CHILD PROTECTION

Mr. Michael Prue: I have the following petition to the Legislative Assembly of Ontario.

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas Ontario is one of the few provinces that does not have independent oversight of child welfare administration; and

"Whereas eight provinces now have independent oversight of child welfare issues, including child protection; and

"Whereas all provincial Ombudsmen first identified child protection as a priority issue in 1986 and still Ontario does not allow the Ombudsman to investigate people's complaints about children's aid societies' decisions; and

"Whereas people wronged by CAS decisions concerning placement, access, custody or care are not allowed to appeal those decisions to the Ontario Ombudsman's office;

"Therefore, be it resolved that we support the Ombudsman having the power to probe decisions and investigate complaints concerning the province's children's aid societies...."

I am in agreement and will send it with the page.

FIREARMS CONTROL

Mr. Mike Colle: I have a petition to the Legislative Assembly of Ontario.

"Whereas unlawful weapons have no place in our community and especially in licensed bars and clubs;

"Whereas we need to give the police more tools to deal with the growing number of shootings in and around licensed bars and clubs;

"Whereas suspending the liquor licence of bar owners who do not co-operate with the police in ensuring there are no illegal weapons in their place of business is one way of protecting the community from gun-carrying criminals;

"Whereas at present our liquor laws need to be amended to better support the police and the community in ensuring there are no unlawful firearms tolerated in licensed bars and clubs;

"We, the undersigned, support MPP Mike Colle's bill" to amend the Liquor Licence Act and get rid of unlawful weapons in bars.

I support this petition and I affix my name to it.

TAXATION

Mr. Ernie Hardeman: I have a petition to the Legislative Assembly of Ontario.

"Whereas residents of Oxford do not want Dalton McGuinty's new sales tax, which will raise the cost of goods and services they use every day; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$500,000; and

"Whereas the McGuinty Liberals' new sales tax of 13% will cause everyone to pay more for meals under \$4,

haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

"Whereas the McGuinty Liberals' new sales tax grab will affect everyone in the province: seniors, students, families, farmers and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario families."

TAXATION

Mr. Michael Prue: I have a different petition here. It's to the Legislative Assembly of Ontario.

"Whereas Ontarians already pay more than their fair share of taxes; and

"Whereas the Liberal government's proposed harmonized sales tax (HST) will add 8% to purchases like gym memberships, running shoes, vitamins, coffee, gasoline, heating oil, natural gas, hydro, newspapers, magazines, landscaping, Internet access, theatre tickets and home renovations;

"We, the undersigned, petition the Legislative Assembly of Ontario to cancel the implementation of this unreasonable, unaffordable and untimely tax."

It may be slightly outdated but I'm still in support of it and would send it forward.

RECONSTRUCTIVE SURGERY

Mr. Ted Arnott: I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas to cover the cost of reconstructive surgery when a patient has had extreme weight loss after bariatric surgery, as these surgeries are not covered under OHIP and are at present considered cosmetic;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That when patients have bariatric surgery and lose the required amount of weight and keep it off, they also have another set of health care issues that can be very costly to take care of. As these individuals lose weight, they end up with so much excess skin and fat pockets that no amount of exercise will take care of it. This excess skin and folds in the skin can cause anything from boils, cysts, skin infections and more that have to be cared for constantly in hospital emergency rooms and cared for by agencies like community care access centres. If preventative reconstructive surgeries are not approved, the constant medical care will cost the taxpayer much more money as said health issues would cost over time."

ELMVALE DISTRICT HIGH SCHOOL

Mr. Jim Wilson: "To the Legislative Assembly of Ontario:

"Whereas Elmvale District High School is an important part of the community of Elmvale and surrounding area; and

"Whereas the school is widely recognized as having high educational requirements and is well known for producing exceptional graduates who have gone on to work as professionals in health care, agriculture, community safety, the trades and many other fields that give back to the community; and

1350

"Whereas Dalton McGuinty promised during the 2007 election that he would keep rural schools open when he declared that 'Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them'; and

"Whereas Dalton McGuinty found \$12 million to keep school swimming pools open in Toronto but hasn't found any money to keep an actual rural school open in Elmvale;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Education support the citizens of Elmvale and flow funding to the local school board so that Elmvale District High School can remain open to serve the vibrant community of Elmvale and surrounding area."

I agree with this petition and I will sign it.

VISITORS

The Speaker (Hon. Steve Peters): I'd just like to take this opportunity to welcome some guests to the gallery today: Susan Dell, Bill Dell, Carol Mayner and Alison Demelo, guests of the member from Hamilton Mountain. Welcome to Queen's Park today.

PRIVATE MEMBERS' PUBLIC BUSINESS

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY AMENDMENT ACT (INSTITUTIONS), 2009

LOI DE 2009 MODIFIANT LA LOI SUR L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE (INSTITUTIONS)

Mrs. Savoline moved second reading of the following bill:

Bill 227, An Act to amend the Freedom of Information and Protection of Privacy Act / Projet de loi 227, Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée.

The Speaker (Hon. Steve Peters): Pursuant to standing order 98, the member has 12 minutes for her presentation.

Mrs. Joyce Savoline: I'm happy to rise in the Legislature today to speak about my private member's bill, the

Freedom of Information and Protection of Privacy Amendment Act (Institutions), 2009.

Just a little bit about my background: I'm a passionate Canadian. I am so very proud of the democracy that we enjoy in Canada and in Ontario, a democracy that our citizens—

Interjections.

Mrs. Joyce Savoline: I don't know why the members opposite are laughing, because I don't think it's a laughing matter. I'm proud of our democracy that our citizens have fought for—some have died for it—and continue to serve in countries, trying to bring this very same democracy to the people who live in violent and undemocratic conditions. I've lived in a refugee camp, and I know the difference—and I'm not crazy, Minister Fonseca.

As a municipal representative, I am proud to have served with the trust of the people who have voted for me in our democratic process. They voted openly and they voted transparently. I continue to represent my constituents as a member of this provincial Parliament, with the same beliefs in open communication, transparency, accountability and integrity. I believe in the people's right to vote and to speak to their elected representatives, and I believe that elected representatives should listen. That's really what my private member's bill is all about. It's intended to give Ontarians access to the agencies that serve them, to provide people with accountability, openness and transparency.

This is a bill of accountability and transparency, something we have heard this government talk about in great detail. If this bill is passed, it would amend the Freedom of Information and Protection of Privacy Act to add a number of bodies—agencies—to the list of institutions as defined by the act. Bodies that would be added, and thus become subject to the freedom of information and protection of privacy legislation—I'm going to read them—include the Biopharmaceutical Investment Program Marketing Advisory Committee, Friends of the Greenbelt Foundation, Oak Ridges Moraine Foundation, Ontario Association of Community Care Access Centres, Ontario Capital Growth Corp., Ontario Centres of Excellence, Ontario Economic Forecast Council, Ontario Educational Communications Authority—which is TVO—Ontario Innovation Trust, Ontario Investment and Trade Advisory Council, the Ontario Manufacturing Council, Ontario Research Fund Advisory Board, the Ontario Trillium Foundation, the Premier's Climate Change Advisory Panel, Public Interest Committee, Rural Economic Development Program Review Panel, the Small Business Agency of Ontario, Technical Standards and Safety Authority, the Toronto Waterfront Revitalization Corp., Travel Industry Council of Ontario, and finally, Waste Diversion Ontario.

These are 21 agencies that are not covered by the FOI act. If this bill passes, the heads of these institutions that I just listed will be subject to freedom-of-information requests, thereby allowing Ontarians rightful access to information regarding their publicly funded institutions. These are institutions that use public money, tax dollars.

The PC Party has encountered resistance from some of these agencies that have received FOI requests. They have delayed providing information that has been paid for and requested. It is my hope that if this bill passes, these institutions will comply with the requests in a more timely manner.

I mentioned that this bill is a bill of accountability and transparency. While I think that Ontarians were horrified with the spending scandals that the FOIs uncovered earlier this year, there's also a sense of relief that all of that has been halted. Through freedom-of-information requests, questionable spending habits of agencies like eHealth and OLG were revealed. I think the same should happen for other agencies.

I am not intimating that other agencies have spending scandals. I am just saying that having an open and transparent process where people can have a look at what agencies are doing allows people to have confidence and trust in the people who are spending their money.

Through freedom-of-information requests, it was also revealed that OLG board members were expensing things like gym memberships and yoga pants, and even going to Weight Watchers.

The importance of this bill is that it will allow Ontarians that very sacred access to the freedom of information from the government agencies that are paid for with public money, paid for with our tax dollars.

We've seen some waste in the spending of taxpayers' money, and this bill will go a long way to prevent more of that waste and to instill, as I say, the trust and confidence that the people should enjoy. I hope for the sake of Ontario taxpayers that eHealth and OLG were the exception and not the norm.

In addition to this being a step in the right direction, I really believe that this bill complements what we have heard the McGuinty Liberals say over the last several months about their desire to increase transparency and accountability. We did hear that on September 16, the government introduced the Public Sector Expenses Review Act. This act received royal assent on October 19. That's a good step forward.

According to a Liberal press release upon introduction of the bill, this legislation would further strengthen accountability, transparency and oversight of expense claims for the 22 largest Ontario agencies.

My private member's bill is no different than the aim of the Public Sector Expenses Review Act, except it goes one further: It allows the access of the public to these agencies. Both are intended to increase measures of accountability and transparency with taxpayers' money.

In early October, the Premier advised that the Cancer Care Ontario agency would become subject to FOI in the future. I know that the government filed a regulation on October 26 that will see this take effect on January 1, 2010. That's great news. All I'm asking for in this bill is that the other 21 agencies also be given that same privilege. The Premier has done the right thing by allowing Ontarians access to information regarding Cancer Care Ontario, but I really think he should have gone that one

step further and done the same for those other 21 agencies. I look forward to him doing the right thing in supporting this bill and ensuring that all these 21 agencies have the same measure of transparency and accountability that Cancer Care Ontario has.

1400

My hope is that members in the House today will do the right thing, that they will look at this bill as a right of Ontarians to have that freedom of information, that right to access information about how their tax dollars are spent by agencies in this province whose members are appointed by the government.

It's only right that the people of Ontario have that access. That's part of our democratic process. That's what we believe in. That's what some of our soldiers have fought for and some of our soldiers have died for. Some of our soldiers continue to go to countries to try to instill the same level of democracy we enjoy in Canada. We should have the right to that freedom of information.

It's my hope that today, as we listen to speakers in the House comment on my bill, they will understand the point from which I bring this forward and will agree and vote, not for me and not just for my bill, but on behalf of Ontarians to give them access to the kind of freedom of information that should be available to them.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Rosario Marchese: I'll be supporting this bill. I think it is a reasonable bill. The member from Burlington has covered a great deal of ground in terms of saying what I would have said. I am not going to take my full time, or at least not much time.

I think this list is probably not comprehensive. Twenty-one agencies, commissions and others are listed; it's a good list. We suspect it's probably bigger than this, but it doesn't matter. The point is that the public has a right to be able to access, by way of freedom of information, any information they would like about any institution that gets public dollars. That's the extent of it. That's how simple this is. They have a right to be able to do that.

I know that governments, no matter who they are, are very afraid to extend this right to the public to have access to this information. They're afraid because—I don't know—it might reveal something that might make them unhappy.

I think it's a good thing. I have to tell you that when I was in government, I alerted some of my colleagues to some problems that I felt were going on in the Ministry of Housing. I recall my colleagues being very nervous about having to open up a potential can of worms. In my view, it's good for the public to be able to weed out any potential problems that might exist in a ministry, agency, board and/or commission. It can only be good for politicians and the government.

But I understand the fear: If something happens while a particular party is in government, they fear it's going to be a blemish on them. Rather than taking advantage of the situation and saying, "We're the ones who opened the

windows and doors, we're the ones who gave access to this particular power, we're the ones who want to weed out any potential problems that exist," we hide, we circle the wagons. We say, "No, we don't want to cause ourselves any problems," versus giving the power to the public to have the transparency they deserve. I understand the fear. I think it's wrong-headed, but I do understand the fear.

For years now, we've been calling for the Ombudsman to have oversight over hospitals, and in many provinces across Canada they have such power.

Hon. James J. Bradley: He's busy. He's a very busy Ombudsman.

Mr. Rosario Marchese: Yet my friend Jim, the Minister of Transportation, refuses to listen to that request.

Hon. James J. Bradley: I always listen to you, Rosie.

Mr. Rosario Marchese: The reason why he refuses is because he's afraid—not because he's arrogant, but because he's afraid. I understand the fear, because every time the Ombudsman has gone after my good friend Jim and all the other men and women ministers we have across the way, they cower with fear, and immediately they submit to his request, because it's the right thing to do, and they hope that the Ombudsman will go away and not say much.

Hon. James J. Bradley: You cannot count on that.

Mr. Rosario Marchese: Why count on that? We like the work the Ombudsman is doing. Sadly, he's beating up on you this time around. But the next time it could be the Tories, and the next time around it could be New Democrats—we're all going to get our turn. It's okay. You guys are not going to be here forever. You have to remember, you're not going to be there forever. You might have two more years. Take advantage of it, enjoy it, and open the doors so that the next government—Tory or New Democrat—will have to face the music. If you can't do it for yourself, do it for us, do it for the others.

I understand the fear. We transfer about \$14 billion to hospitals and \$3 billion to long-term-care institutions. It's a whole lot of money. Our whole health care system amounts to \$44 billion—a whole lot of money. We need greater scrutiny in that regard. Am I accusing anyone of anything? No. But it would be nice to be able to say that someone has oversight, that someone is keeping an eye on things, other than my friend Jim from the Ministry of Transportation. We need to have a couple of more eyes on the file, because two is not enough. Jim's two eyes are not enough on this file. We need more eyes, more scrutiny, because he can't do it all. I know he wants to do more, but he can't do it alone.

That's why I'm saying, let's get him some help. Let's get the freedom-of-information requests so people can help you, Jim, to do the job well. Let's get the Ombudsman a power that every Ombudsman has across Canada: to use one's eyes and power of discernment to be able to get in there and weed out any potential problem—

Hon. James J. Bradley: Only if you're the Ombudsman.

Mr. Rosario Marchese: It's to help you, Jim. It's not about me; it's about you.

Mr. David Zimmer: No, it's about the NDP.

Mr. Rosario Marchese: No, it's not about the NDP. It's about me wanting to help you to do a better job.

This is a good bill, and I'm going to be supporting it. I am going to keep an eye to see how many left-leaning Liberals might still exist in the Liberal Party, and see who is going to be supporting this bill.

The Acting Speaker (Mr. Jim Wilson): I'll just remind the honourable members to please speak through the Chair.

Further debate?

Mr. David Zimmer: It's my pleasure to speak to this matter. I'll be sharing my time with the member for London—Fanshawe.

I do respect the intention of what Ms. Savoline has brought before the House. Indeed, all parties share and all parties understand the need for transparency, the need for and the right of the voters of Ontario, the citizens of Ontario, to have access to information that their government holds, to have a government that is transparent and to have a government that fulsomely shares that information with them.

But I say, with the greatest of respect, that this matter brought forward is premature, and it's premature for this reason. As the member knows, there is an all-agency review that is going to be conducted that is going to review all of the agencies with a view to seeing how we can increase transparency, how we can ensure that the information that should be available to the public is available to the public in a timely way. This is a very co-ordinated, comprehensive, detailed review of all government agencies. What we want to do, rather than approach it the way the member's idea is going to approach it—that is, in a very piecemeal fashion—is to have this co-ordinated all-agency review. But in the meantime, while that all-agency review is under way, there have been some very significant and important steps taken that are going to carry us along in the direction that I rather expect the all-agency review is going to come up with when it delivers the report coming out of its review.

1410

On April 1, 2010, for instance—that's about four months from now—there's a new expense-posting regime whereby our government has taken the 22 largest agencies here in Ontario and has asked that the OPS connected with those ministries, the political ministers connected with those ministries and the various senior executives to have a new regime for posting their expenses. As I have said, this is going to apply to the public service sector, the political staff, ministers and the senior executives.

The new rules are going to apply to some 22 of the largest agencies, and I'll run just down some of these agencies: Ontario Power Generation; Hydro One; Independent Electricity System Operator; Ontario Power Authority; WSIB; LCBO; eHealth; Cancer Care Ontario; Ontario Infrastructure Projects Corp.; Infrastructure Ontario; Ontario Energy Board; Alcohol and Gaming Commission; Ontario Financing Authority; Ontario

Realty Corp.; Ontario Public Service Pension Board; GO Transit; Metrolinx; Toronto Area Transit Operating Authority; Ontario Human Rights Commission; Metropolitan Toronto Convention Centre Corp.; Ontario Educational Communications Authority, TVO; TFO; Ontario Racing Commission; and the Ontario Clean Water Agency.

All of the employees, all of the members of these agencies are going to be held to the same standards that cabinet ministers and political staff are held to in terms of managing and reporting on their expenses. To ensure that that's complied with, there are going to be annual audits of these agencies, boards and commissions, the 22 that I've just listed. But what's really important is that the auditors are going to be independent, external auditors, and they will be required to look at the expense practices to ensure that the rules in place are being followed. This is an independent, outside audit.

In addition, the Premier has issued a direction. He has made it quite clear that he expects that government should ensure that any requested information should be made public unless there is a clear and compelling reason not to do so. The Premier has made quite clear to his ministers, to his political staff and to all concerned that that's the expectation; that's the standard that he is going to hold his government to.

In that regard, I should say, in terms of the disclosure and getting the information out to the public in a timely fashion, in the past two years, in 2007 and 2008, this government has achieved the best-ever performance in replying in a timely way to freedom-of-information requests within the various time frames set out in those requests. In fact, the compliance rate has been 84%, and we are working very hard to close in on the remaining 16%.

Just to conclude, then, while I understand the intent of the matter that Ms. Savoline has raised, in my opinion this is a premature exercise. We should go through two things: one, the all-party agency review. We should do that in an orderly, coordinated, comprehensive and detailed manner. We should receive that report back, and then we shall move to see what we're going to do as a result of that report. In the meantime, until that report comes out, I've outlined a number of initiatives that are, in and of themselves, comprehensive.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Ted Arnott: I'm very pleased to have this opportunity to speak this afternoon in support of Bill 227, An Act to amend the Freedom of Information and Protection of Privacy Act, that has been moved by my friend and colleague the member for Burlington. She first introduced this legislation on November 25, so it has been before the House for a few weeks. I think all members have a level of awareness about what is being debated here.

I listened with some interest to the member for Willowdale—because, of course, he is the first speaker from the government side—to hear what he had to say

about the bill, and I was quite disappointed that he didn't indicate clearly that he would support this. In fact, he talked about his support for the intent—I think he said he respected the intention of the bill—but then went on to suggest that the government had a process under way and that the bill was premature.

I think maybe we should remind some of the members of the House that second reading of a private member's bill is the debate on the principle of the bill. Logically, it would follow that if a member respects the intention of the bill and would seem to suggest that they support the principle of it, you would think, logically, they would vote for it at second reading. The bill would then most likely be referred to a standing committee of the House and there would be more opportunity for discussion and debate, perhaps public hearings, and then lots of issues could come forward and perhaps amendments made.

I'm sure the member for Burlington would be open to the idea of having amendments and certainly public hearings to allow this bill to move forward. I would suggest to the member for Willowdale that if he does indeed respect the intention of this bill and he would say that he supports it in principle, he should stand in his place and vote for it, as should the other members of the House.

I know we've seen a creeping partisanship brought into this House on Thursday afternoons on some recent private members' bills. I know that the member for Burlington is absolutely sincere in terms of bringing this bill forward to shed the light of day on some of these government agencies, and I think she is doing exactly what she was elected to do and the kind of thing that she has been known for in her public career and in her many years of service to the people of her community in Burlington, as well as the region of Halton and now here in this place.

I first met the member for Burlington in 2005, if I'm not mistaken, and I had an opportunity to meet with her in her office when she was the chairman of the region of Halton. We had quite an interesting conversation. I was immediately impressed with her sincerity, her intelligence and her obvious commitment to her community through her many years of service. I would suggest that she is one of the strongest members of our caucus and one of the best members of the Legislature. I think she deserves enormous credit for the work that she does.

I was glad she talked a little bit at the start of her speech about her background. I was aware that she was born in China, but I wasn't aware that for a number of years when she was a child her family lived in a refugee camp. Certainly, she has every good reason to understand how fortunate we are to live in this country. The democratic ideals that we embrace and share are ones that she values as much as anybody in this House, without question. I think that the comments she made this afternoon in terms of the need for openness and transparency in government are ones we would all want to heed.

This bill lays out 21 different organizations—actually, they're government agencies. I don't think I'll go through

the whole list, but—Biopharmaceutical Investment Program Marketing Advisory Committee, Friends of the Greenbelt Foundation, Oak Ridges Moraine Foundation, Ontario Association of Community Care Access Centres, Ontario Capital Growth Corp.—it goes on and on, a significant number of government agencies that currently are not subject to freedom of information. Yet we know that freedom-of-information legislation is something that has been around for years. I believe the legislation was first introduced before I was elected to the Legislature; I think it was in the 1980s that the legislation was brought in. At the time—I remember the debates—it was intended to be a sign of democratic maturity and openness in terms of government to allow citizens to have access to the kind of information that previously had been secret.

If the government is going to take the position today that these agencies should continue not to be subject to freedom of information, that this information should be kept secret, somehow, over time—I don't know why it would take that position other than that they do have something to hide in some of these agencies. Obviously, that's the conclusion that anyone would draw; you don't have to be cynical to draw that conclusion. I think the government has to give us more explanation if they are indeed going to try to vote this down. I would hope that I'm wrong and that the government members will approach private members' business today as they should, without the government whip telling them how to vote, and that they have an opportunity to express the wishes of their constituents, as I know they would want to do.

1420

So I would suggest to you, Mr. Speaker, that this bill is one whose time has certainly come, and I would hope that all members of the House will support it. Again, I expect and anticipate that the bill would be referred to a standing committee of the House. We don't know what's going to happen in terms of the House proroguing perhaps in the new year, but in the meantime the business of the people of Ontario continues. We would hope that this bill could pass second reading and then go to the committee stage for more discussion, and hopefully, ideally, come back to the House at a later date for a vote at third reading, because I think it is a bill that certainly is needed in the province of Ontario.

The member for Willowdale talked about an all-agency review. I think that process could be ongoing at the same time as the Legislature considers this bill. There's no reason why the two can't continue concurrently. Certainly, it gives members of the Legislature an opportunity to have direct input in these kinds of issues, whereas an all-agency review, I suggest, would limit opportunities for participation by MPPs. In fact, we'd probably have no opportunity whatsoever.

In closing, I again want to commend and congratulate the member for Burlington for this piece of legislation today. I would suggest that it's a bill that is needed and it is a bill that should be passed at second reading today. I would encourage all members of this House to support Bill 227.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Michael Prue: I've listened intently to the debate. I would like to encourage the member from Burlington in her efforts to try to shed some light. I listened with some puzzlement, I must say, to the member from Willowdale, who suggested we ought not to proceed with a bill of this nature because the government is planning to do something in the future.

Mr. Rosario Marchese: A comprehensive review.

Mr. Michael Prue: Yes, a comprehensive review. But nobody has announced any kind of comprehensive review. Nobody has shared which agencies are going to fall under this comprehensive review.

Hon. James J. Bradley: The member for Willowdale did. He announced it.

Mr. Michael Prue: No, he didn't announce it. Nobody has told us which agencies are going to be included, which agencies are not going to be included, whether there are going to be public hearings, whether the opposition is going to have any role to look at this, what the government has planned. Quite frankly, I am going to support this bill. If it does nothing other than nudge the government to take action, it will have succeeded in something. And I think that what is being proposed here will in fact be a nudge for the government, to make them move ahead with a planned review. I know this is difficult. It's almost a quagmire trying to find out.

I know the researchers in my party—and they're absolutely brilliant researchers. They work in conjunction with the people in the library and this institution and they try to find out information which is presented every day in argument in this House. This has been a longstanding issue for them. They have sent me a little note: "We have talked to the library multiple times about compiling a list of excluded institutions, but have had no luck in getting an answer, due to the difficulty of finding explanations and not because of lack of effort." That's the note. We don't know who all the agencies are. We don't know whether the list that the member from Burlington has put in is exhaustive or not. But we do know that we need to shed light inside the four walls of this institution.

We do know that people out there are asking for explanations and we do know that the citizenry of Ontario is certainly much better educated and much better informed than they were in past generations. They have access to a broad range of multimedia—everything from television to film to print. They now have access to the Internet. They want and they require and they need additional information in order to make up their own minds. Gone are the days when the people in this Legislature were considered to be the elites, the ones who had the education, the ones who had the knowledge, the ones who could make the decisions. Ordinary people want to be involved in the process, too. Ordinary people want to look and make sure that their individual MPP is doing the right thing. They also want to make sure that the government is doing the right thing with their tax monies and the programs, and they are simply asking that a little light

be shed. I think we need to shed that light. Whether it is the auditor, whether it is the Ombudsman—whatever person is responsible—that light needs to be shed.

I congratulate the member from Burlington for asking that the light be shed, and I do not understand why there would be any hesitancy whatsoever from members of this venerable institution to say, "I have no fear." I do understand that from time to time in this government and in all governments, the auditor's report or the Ombudsman's report is looked at with apprehension: "Oh my goodness, people say the auditor is coming down with something tomorrow; we had all better run and hide." But the institution itself is not worse off for it. A day or two after the furor ends and the questions are asked in here, the service that was provided was a valuable one. Governments know where they need to plug holes; the opposition knows where they should be looking in the future to see whether the government is following through on the recommendations.

The people of Ontario understand that in the multi-billion-dollar enterprise that is the province of Ontario, mistakes will be made from time to time. We are human. The people in the bureaucracy who advise us are human. The people in the bureaucracy who enforce and carry out the laws are human. Sometimes things happen. Sometimes people take advantage of situations. But in the end, it is the auditor and the Ombudsman who provide the service to this Legislature. That's why they are servants of this Legislature.

I want to let those institutions and all the institutions shed the light of day. I am sick and tired, and I think my constituents are, of having things hidden away. Let the clear light of day shine on this. Pass this bill. Send it for committee stage. If there is anything being reviewed, subsume the recommendations in a government order. We all will be better for it, this government will be better for it and every government that sits in this Legislature for as long as we are the province of Ontario will be better for it.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: I'm pleased to enter the debate on Bill 227, An Act to amend the Freedom of Information and Protection of Privacy Act, 2009, which was introduced by the member from Burlington and is being debated in the House at the present time. I listened to the member from Burlington, and I agree. I know that the member from the third party also spoke in support.

I want to say it's a very important thing for all the people who are listening to us today, especially taxpayers, to know how their taxes are being spent. Ontarians work very hard, and they give their hard-earned dollars to support many different agencies and programs across the province to deliver services for the people of Ontario. So they have a right to see how those agencies conduct their daily business without any abuse of tax dollars.

To the member for Beaches–East York: I'm a member of the government. I'm not afraid of the Auditor

General's report. As a matter of fact, I look forward to seeing it and reading it every single time it comes out. It has given me the chance to know what's going on, because as a member, I don't have the capacity, the ability or the privilege to see different books or agencies that are doing business on our behalf across the province of Ontario, whether it's eHealth, hospitals, the environment—whatever sector or whatever agencies that do business on our behalf as a government or on behalf of the taxpaying citizens of this province. It's important for all of us to learn. As the member from Beaches–East York mentioned, we are human. We are subject to making mistakes.

To be a subject for audit by the auditor, the Ombudsman or the Integrity Commissioner is a good thing, but I'm not sure how it's going to be implemented. We know that since we got elected as a government in 2003, we've taken a very important step in the direction of opening all the agencies to be subject to audit, whether by the Auditor General or by report to the Integrity Commissioner.

Mr. Speaker, you and I and everybody in this place—107 members—submit our information to the Integrity Commissioner on a regular basis every year. I think the taxpayers who elect us have a right to see us and know a lot about us, while we're doing business in the right way. We're not corrupt; we're not misusing the taxpayers' dollars; we're not subject to being influenced by lobbyists or taking money illegally, using our position to influence others or to benefit from others.

1430

I listened to the member from Burlington speak in detail about the importance of her bill. I think it's a very important bill and a very important subject to be discussed in this House. As a matter of fact, it's private members' bills time and the member comes with a lot of good ideas. I think I'm planning to support that bill. I'm going to support the member from Burlington because I think it is our obligation and duty to open up for the taxpayers, because as we speak today, there are people out there, outside this place, who have a bad perception of us. They think that all the agencies, all the organizations and all the people working for the government in the province of Ontario are corrupt. Why do we have to hide things from them?

The member brought 21 agencies to be open and subject to freedom of information. So be it; it's no problem. Maybe more should be subject to freedom of information. If you and I were subject to freedom of information and opened up on a regular basis to the Integrity Commissioner to tell the people of Ontario what we do on a regular basis—I think every agency, especially corporations or big organizations that collect and receive millions of dollars from taxpayers should be subject to it, to see their conduct and to tell the people of Ontario, "Look, these agencies and these organizations are doing a good job and not misusing taxpayers' dollars. They are investing it in the right place to benefit the people of Ontario."

I think it's a very good initiative, but I'm not sure how it's going to be implemented. I heard my colleague the member from Willowdale mention the government's directions to construct a committee to study and review many different organizations in the province of Ontario. I think if this bill passed and went to committee, it would not hurt to add to our initiative more initiatives, and shed a light on many different organizations where otherwise we would not be able to know what they do on a daily basis. I think, as taxpayers, as citizens of this province, as its elected officials, we'd like to know how those organizations, how those agencies, conduct their business on a daily basis.

I want to congratulate the member for bringing this issue forward, and hopefully, my colleagues and I and many other people will support this bill.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Norm Miller: I'm pleased to have the opportunity to add some comments to Bill 227, which is An Act to amend the Freedom of Information and Protection of Privacy Act, and it's put forward by the member from Burlington. Just having listened to the member from London–Fanshawe, it sounds like he's supportive of the bill. I'll be looking forward to seeing how he votes after private members' time. He did sound supportive, so I'm pleased to see that.

Interjection.

Mr. Norm Miller: Yes, hopefully it's not a whipped vote; this is private members' time. I do note that this week, Bill 132, the fruit wines bill put forward by the member from Leeds–Grenville, was in committee, and all the Liberal members on the committee were very receptive and had lots of positive things to say as all the people came before the committee in the public consultations. Then when it hit clause-by-clause time, they all voted against every section of the bill and shut it down. You've got to sometimes listen very carefully or just wait to see how they actually vote, because who knows what they might do.

The member from London–Fanshawe raised questions about how you are going to implement this bill. Well, it's pretty simple, because what the bill does is list 21 different agencies that would come under the freedom-of-information act. All you have to do is pass the bill and those freedom-of-information requests would—you'd be able to look into some of these different agencies. Frankly, I certainly would be interested to see, for example, some of the 21 different institutions and agencies listed. Friends of the Greenbelt Foundation: That was a creation of the current government. I think it's safe to say that the connections to the Liberal Party—it would be very interesting to see what those are and where the funding goes and what's happening there.

Let's remember that in the past year there have been some significant scandals for the government, and they came about through freedom-of-information requests. Pina Martino, who was in the research department of the PC Party until recently, was instrumental in making

several requests on the eHealth file. They kept trying to shut her down, as she was very persistent and kept refining her requests. Eventually, we learned that significant monies were wasted in the eHealth file with very little to show for it.

The same can be said for OLG and all the expense accounts which came to light through freedom-of-information requests. I would be very interested to see, from freedom-of-information requests, what sort of things come out by looking into the Friends of the Greenbelt Foundation. I think there's a lot of money spent in community care access centres, and I think the people of Ontario—

Interjection.

Mr. Norm Miller: If the transportation minister asked his constituents, they'd probably be very interested to know the inner goings-on at some of these agencies.

The Ontario Economic Forecast Council is another agency where I think it would be interesting to see just how they're spending their money. I think accountability is good. What about the Technical Standards and Safety Authority? Or Waste Diversion Ontario? That's another organization that spends a lot of money, and I think the people of the province who are supporting government through their tax dollars have a right to look at the inner workings.

Hopefully, the government is going to not whip this private member's resolution but let the members decide on their own the merits of it. Really, the only reason for not supporting it would be if the government has something to hide, if they're worried about other freedom-of-information requests.

I know the member from Willowdale said that the Premier has made it quite clear that he's going to look into these types of things. Frankly, what can we believe of what the Premier says? He's the Premier who said he wouldn't raise your taxes, who signed a declaration saying he wouldn't raise your taxes.

Recently, they actually printed in the budget document that they saved \$45 million and it was going to front-line health services. The Auditor General's report came out last week, and you know what? That's not true. Surprise, surprise. A million dollars might have been saved, not \$45 million. There is a big difference there. So we have to look very carefully at what the government is saying to determine that it is, in fact, the correct information.

This is a very simple bill. It allows freedom-of-information requests for 21 agencies that I think the people of this province would be very pleased to have opened up so that they can get a better idea of how the money is spent within these different organizations. The Ontario Trillium Foundation—there's a lot of money spent in communities around the area. The Rural Economic Development Program, Toronto Waterfront Revitalization Corp., Ontario Educational Communications Authority, Oak Ridges Moraine Foundation—I think people would like to make sure their tax dollars are being wisely spent.

The Acting Speaker (Mr. Jim Wilson): Mrs. Savoline, you have up to two minutes for your response.

Mrs. Joyce Savoline: I would like to thank the speakers from Trinity–Spadina, Willowdale, Wellington–Halton Hills, Beaches–East York, London–Fanshawe and Parry Sound–Muskoka.

I was a little disappointed to hear the member from Willowdale portray this bill as immature. No matter what party is in power, this bill is a good idea. It keeps people close to doing what's right. The Public Sector Expenses Review Act only reviews expenses of members in these agencies. It does not review administrative practices. What we found with eHealth and some of the other agencies is that their administrative practices weren't good, so the Integrity Commissioner will not be able to check on any of that. If it's good for Cancer Care Ontario to be included in FOIs, why isn't it good for the rest of these agencies to also be included? This is not doing work, piecemeal.

Given the revelations of this year, scandal after scandal, I think this bill is long overdue. It's not premature; it's overdue. Ontarians are overdrawn at the bank due to unchecked spending. They're overdrawn at the bank due to scandals. Why do we have to wait and wait and wait and do nothing? Why can't we just act when we know it's the right time to act, and now is the right time. What are we waiting for? Allow us to move forward to third reading. I think that giving the people the opportunity to speak at public hearings—don't keep secrets from the people. They want to be able to talk to us, and we shouldn't be afraid to hear from them.

The Acting Speaker (Mr. Jim Wilson): We will vote on this ballot item in about 100 minutes.

1440

HUMAN RIGHTS

Mr. Eric Hoskins: I move that, in the opinion of this House, the 10th day of December each year should be proclaimed as Ontario Human Rights Day, to coincide with International Human Rights Day, and in doing so, this House promises to promote an Ontario, a Canada and a world free from discrimination and hate, and safe for all persons, and affirms that all human beings are born free and equal in dignity and rights, and are entitled to all the rights and freedoms set forth in the Universal Declaration of Human Rights, without distinction of any kind, whether race, gender, gender identity, language, religion, sexual orientation, political or other opinion, culture, national or social origin, property, family, birth or any other status.

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order number 98, Mr. Hoskins, you have up to 12 minutes for your presentation.

Mr. Eric Hoskins: Today, December 10, is an important day for the province of Ontario, its citizens, Canada and the world, for today is International Human Rights Day. Sixty-one years ago this very day, emerging from the experience and the atrocities of the Second World War, the United Nations adopted the Universal Declaration of Human Rights, the first truly global

expression of the rights to which all human beings are entitled.

Drafted by a Canadian, John Humphrey, the declaration affirms not just our rights as individuals, but also asserts our responsibilities as MPPs, as those who are elected to serve our constituents and ensure that the rights of all Ontarians are safeguarded and upheld.

Today is therefore a day for all of us here to set aside partisanship in support of a just and inclusive Ontario. We all have constituents in our ridings, friends or loved ones, or even, I have no doubt, there are some among us here, who have had their human rights violated or denied, or who have been victims of persecution, racism, anti-Semitism or other forms of discrimination that must be confronted, and in doing so, eradicated. This is the very essence of our democracy in which all citizens are granted full and equal human rights and opportunity without exception of any kind. This is something we can never take for granted.

My experiences in some of the most troubled parts of the world, in places like Iraq, Somalia, Afghanistan and the Democratic Republic of Congo, and the time I have spent meeting with people in my riding who have survived unimaginable horrors before beginning their new lives here in Ontario, have given me a unique appreciation for what we have in this province and for what we can achieve as parliamentarians.

There is nothing that makes you appreciate more the essence and the promise of Ontario and Canada than seeing what happens when it has all been stripped away: democracy, health care, respect for human rights, justice, peace and security. We enjoy these liberties, as is our right, but they cannot be taken for granted, and they must be upheld, and this is the cornerstone of the political process. This is why politics matters. Justice can prevail where impunity has thrived, equality can be achieved where discrimination festers, but only when we as Ontarians, as Canadians, as those elected to serve, commit to it, invest in it and are steadfast in defending these inalienable rights.

The Universal Declaration of Human Rights calls out specifically to politicians of all party persuasions, asking us to promote and to secure human rights for all of the citizens of Ontario.

Twenty years ago, while living in Sudan, I shared an office with a Sudanese doctor, Mohamed, who became a close friend. We ate breakfast together most mornings and talked about the freedoms I enjoyed as a Canadian and the threats he faced daily as a Sudanese. At the time, doctors in Sudan, while respected for their social contribution, were largely dismissed when it came to matters of politics. Of course, I'm grateful that we don't yet have that problem here in the Legislative Assembly.

But, you see, months earlier there had been a military coup in Sudan, and a brutal and violent dictatorship had replaced the fledgling democracy. Yet, eventually, it would be the country's doctors who mustered the courage to stand up and oppose the unelected regime. When the doctors' union went on strike and publicly opposed

the dictatorship, the reaction of the government was as swift as it was brutal. Hundreds of doctors were jailed, and many went missing.

I became anxious when I arrived at my office the day after the arrests to see Mohamed's chair empty. I quickly learned that Mohamed had been seized in his home by the security forces. While detained by his own government, Mohamed was beaten, tortured and then killed. When his body was retrieved by his family, all of his fingernails had been pulled out, and there were burns and bruises covering his broken body. My friend was gone, his human rights trampled.

It is for people like my friend Mohamed and the six million Jews who were systematically and brutally slaughtered during the Holocaust and the nearly one million Rwandans and the many millions more who have paid the ultimate price for our actions and inactions globally that the universal declaration was written and why it is still as relevant now as it was 61 years ago. It is our moral and electoral duty to rise against hatred, against violence and against injustice both at home and abroad. In this we must never falter.

Through the passing of the Ontario Human Rights Code in 1962, this House made clear its belief that freedom, justice and peace are collectively built on the inherent dignity and equal and inalienable rights of every person. While we must celebrate this recognition, we cannot allow it to blind us to the work that still needs to be done. As legislators, we must continue to work towards creating a society that is more tolerant, one that affords the utmost mutual respect for the dignity and worth of each person. Ontario's identity, vibrancy and prosperity depend on whether we are able to achieve these goals, ensuring that each member of our diverse society is a part of the community and is able to fully contribute to the development and well-being of his or her family, this province, this country and the world.

The Universal Declaration of Human Rights and our own Ontario Human Rights Code spell out our obligations to put an end to all violence—to violence against women; to improve the quality of our health care; to end hate and fight anti-Semitism; to eradicate poverty; to ensure that our streets and our communities are safe; to end discrimination based on gender, gender identity, sexual orientation, political opinion, religion, race, family status, language, culture, disability, national or social origin or any other status; and to ensure that all current and future generations of Ontarians enjoy equality, opportunity and all the rights and freedoms to which they are entitled.

This is why we are here: to uphold, to defend and to maintain these rights. This is, at its core, the purpose of politics. It is a profound and serious responsibility. Perhaps it is therefore time, as we approach the tranquility and solemnity of the holidays, and particularly on the heels of the rather heated environment in the House over the past few weeks, that we take the time to refocus our efforts so that we may continue to provide the leadership and collaboration that our constituents expect of us, indeed, demand of us in these difficult times.

1450

Over my many years spent practising medicine here in Ontario and most recently as the MPP for St. Paul's, I have met with many Ontarians who, at some point in their lives, experienced persecution, racism or other forms of injustice. Some were seniors in St. Paul's nursing homes who had lived through the horror of World War II. Others were new arrivals: refugees from war-torn nations. Some were parents concerned about the safety of their children in Ontario's universities and colleges because of the presence of anti-Semitism. Still others, whether because of skin colour, religion, gender or sexual orientation, had experienced hate crimes, homophobia, domestic violence or racial slurs. But all shared a common belief that, as stated in article 3 of the Universal Declaration of Human Rights, "Everyone has the right to life, liberty and security of person" and the right to enjoy a life of dignity, fairness and equality. This is the promise Ontario makes to all its citizens.

This is why International Human Rights Day matters. It reminds us that we cannot lessen our resolve to foster an Ontario free from discrimination and injustice, one in which every Ontarian can live in full enjoyment of his or her human rights. This is why I'm asking today for this House to proclaim December 10 of each year Ontario Human Rights Day, to remind us that we can never be complacent when it comes to defending the values and ideals that we as Ontarians hold dear.

In closing, I may be the newest member of this House, but I do know what it means to live and work in communities in which human rights are summarily denied and in which violence, suffering and insecurity are widespread. I also know that those of us elected to serve will not and do not always agree on which rights can and should take precedence in our provincial democracy or how best to achieve them, but let us agree on this: Let us agree that we will work hard together to ensure that we bring Ontarians closer to realizing a world that is free from discrimination, intolerance and abuse. This is what the citizens of this province expect, and this is what we must deliver.

To the individuals, the families and the communities that rely on us for leadership, the unified message must be: "We will not let you down; rather, we will stand up for you, for your rights, for your freedoms and for a generous, caring and proud Ontario for everyone—not only today but for all future generations."

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Ted Chudleigh: It's obviously a subject of great passion for the member.

On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights, recognizing the fundamental principles of freedom, justice and peace in the world. Member nations agreed that the articles of the declaration were the common standards of fundamental human rights to be universally protected for all people. Subsequently, many members of the United Nations

signed and ratified the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. These two international covenants acknowledge that human rights derive from the inherent dignity of the human person as well as the duties each of us has to promote and respect human rights within our communities and towards one another. Canada ratified both conventions on May 19, 1976.

Recognizing the dignity and equality of all people, many member nations also agreed on the need for the immediate elimination of racial discrimination and discrimination against women. In so doing, they acknowledged "that the existence of racial barriers is repugnant to the ideals of any human society," and further, that "discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity."

Canada ratified the International Convention on the Elimination of All Forms of Racial Discrimination on October 14, 1970, and the international Convention on the Elimination of All Forms of Discrimination against Women on December 10, 1981. The most widely ratified international convention, the Convention on the Rights of the Child, was ratified by Canada on December 13, 1991. This convention recognizes the human dignity and special needs of children as well as the full range of their human rights.

This is not an exhaustive summation of the international agreements to which Canada is a party and which Ontario in turn has recognized as a fundamental basis of our democracy, nor does it recognize the numerous declarations, principles, guidelines, standards, rules and recommendations that we and other member nations have supported. Nevertheless, what it provides us with is a general idea of the aim that member nations had in mind in Paris on December 10, 1948, when they proclaimed that General Assembly Resolution 217A would form the basis of a common standard for all people and all nations.

Sixty years later and a year ago today, the world recognized the 60th birthday of the Universal Declaration of Human Rights. The theme of this celebration was "Dignity and Justice for All of Us." It acknowledged the world's recognition under the Universal Declaration of Human Rights of the universal dignity of all people and of justice for them.

This year, the United Nations High Commissioner on Human Rights will focus International Human Rights Day on the fight to end discrimination. She has stated that, "Discrimination lies at the root of many of the world's most pressing human rights problems. No country is immune from this scourge. Eliminating discrimination is a duty of the highest order."

Ontario is not free from the scourge and obstacles which result from discrimination. We continue to struggle to overcome the burden of belief which hinders, overtly and covertly, the full realization of all peoples' human rights. However, as our system continues to address our ongoing challenges, it remains the envy of the world. We should never deny the barriers we have yet to overcome, but neither should we forget those that we have fought for and won. Neither should we overlook the work of the thousands of people around the world who are on the ground addressing and supporting the needs of those whose rights are threatened and violated. Their advocacy and acts of kindness must be acknowledged and admired.

We should also appreciate what we have here in this great province and in this city of Toronto. Toronto is one of the most diverse cities in the world, and Toronto remains a very harmonious city. We have problems and battles against discrimination, and they continue, but that we are able to live together and share our differences in relative peace is a badge of honour that we all wear together. Toronto is, in fact, the most diverse nation in the world. It is not only the most diverse nation in the world today; it is probably the most diverse nation that has ever been in the world. There are more languages spoken by first-generation immigrants than at any other time in the history of the world. The only other city that would come close to sharing that distinction with Toronto would be New York City in the early 1900s. But Toronto outperforms that city by a wide margin with the diversity that we have in our city. Yet I'm very proud of our civil rights, of the human rights that we are able to look to in the city of Toronto.

Looking at the history of human rights in this province and across Canada clearly demonstrates that we have been a country of inclusion and progression. We are a government which supports the goals of the UN declaration and a party that acts progressively to help ensure their realization. It was back in 1918 that Robert Borden ensured that women were given equal status and the right to vote. Premier Bill Davis appointed Margaret Birch as Ontario's first female cabinet minister and minister responsible for youth. John Diefenbaker chose the Honourable Ellen Fairclough as Canada's first female cabinet minister and Minister of Citizenship and Immigration in 1957. He also ensured that aboriginal people were given the right to vote in Canada.

In Ontario, we have been a leader in the advancement of human rights. In 1958, under the leadership of Premier Frost, we created the Ontario Anti-Discrimination Commission to undertake educational programs with the purpose of eradicating discriminatory behaviour in the workplace.

1500

This body also acted as an adviser to the Ontario Minister of Labour, who could appoint an independent conciliator to help parties resolve disputes of discrimination under various Ontario statutes. Less than 10 years later, in 1962, the government, under the leadership of Premier

Robarts, enacted Canada's first comprehensive Human Rights Code. That code prohibited discrimination in employment, accommodations, goods, services and facilities and membership in vocational associations and trade unions. It also provided the Ontario Human Rights Commission with the power to investigate complaints on matters under its jurisdiction and the capacity to settle matters before it.

Since that time, we as a province and as a Legislature have come to recognize that there are other grounds of discrimination which have been deemed to be intolerable in our society. Today the Ontario Human Rights Code prohibits discrimination on 15 different grounds.

I would like to note one problem in this resolution, and that is the fact that while it expands upon the grounds listed in the Universal Declaration of Human Rights and in the Ontario Human Rights Code, it fails to mention discrimination on the grounds of sex.

Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women states:

"For the purposes of the present convention, the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Ontario's Human Rights Code also uses the grounds of sex as a possible discrimination.

Gender, a possible ground as recently identified in a bill introduced by the member from Parkdale-High Park, is not the equivalent to sex. While the former recognizes the social and psychological aspects of a person's sexuality, or in others, the social construction of a person's sexual identity, this is not always identical to their biological and genetic sex.

It is the disapproval of the fact that a human being who is biologically or physically a woman, and on that ground alone is denied the full enjoyment of her human rights that the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and Ontario's Human Rights Code and other human rights instruments and bodies have recognized the ground of sex. It is the struggle of women because they are women, and that has been admonished.

I therefore would urge this House to amend the member opposite's resolution to include the ground of sex. It is likely an oversight, but I think it might be a glaring one at that.

The Progressive Conservative Party, from before we introduced the first Human Rights Code in Canada to the present day, has been an outspoken advocate of human rights. We recognize that there is always work to be done and acknowledge the need to work together to ensure that our system remains of the highest standard.

My party and I will support this resolution. We do so to acknowledge and support the principles of the Universal Declaration of Human Rights agreed to by members of the United Nations 61 years ago. But we also do it to acknowledge each year the real struggles and obstacles that Ontarians and people around the world have experienced when their human rights have been denied; to reaffirm our commitment to fight for the equal enjoyment by all people of all nations of those rights which remain denied; and to recognize, with appreciation, the respect and acceptance that has grown in Ontario and in this great city of Toronto, the world's most diverse city.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Michael Prue: I am rising today to support this motion. I do so because I believe that the fundamental rights of human beings across this planet need to be protected. The universal declaration contains 30 articles, and all of them are important to the well-being of humanity.

I particularly want to draw attention to a couple of sections, because I think they impact on Ontario, and I want to make sure, as we agree to the resolution being put forward today by the member from St. Paul's, that we understand that we do not do so just to talk about the atrocities and the lives of other countries, not to talk about Rwanda or Chad or Congo or what happened in the former Republic of Yugoslavia as it broke up, but to remember that we have the same obligation to uphold the sections here in Ontario. I do so with the full expectation that if the members here vote today, they will commit themselves to the sections for which we as a provincial government are responsible.

I start first with section 25, subsection 25(1) to be precise, and I'm indebted to Mr. Hoskins as well for providing these little booklets: 25(1) reads, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

The United Nations has talked about what this means. They have many, many things about what it means, but it all comes down to if one is poor, one's civil and social and legal rights are being impinged.

I quote from the report which was released in the Senate yesterday, page 71. The Senate, in their deliberations, quotes the United Nations, and I in turn quote them. It's from Louise Arbour, the preface to the principles and guidelines 2006. Louise Arbour, as we all know is a noted jurist from Canada, formerly of the Supreme Court. She wrote, "Poverty is not only a matter of income, but also, more fundamentally, a matter of being able to live a life in dignity and enjoy basic human rights and freedoms. It describes a complex of interrelated and mutually reinforcing deprivations, which impact on

people's ability to claim and access their civil, cultural, economic, political and social rights. In a fundamental way, therefore, the denial of human rights forms part of the very definition of what it is to be poor."

The committee has other good quotes, but I think that's the most powerful one. The committee says that we have a responsibility if we want to ensure human rights in Ontario. It is to ensure that no one is subjected to a life of poverty because, in fact, we will be impinging on their rights to full human rights.

I want to talk about four groups, four groups for which we are not doing everything we need to do for human rights in Ontario, and say that we if we pass this resolution, people will have an expectation that we will do more; that if we pass this resolution, they can come back and tell us, "We want you to uphold our human rights."

The first is the First Nations communities of this province. Any members of this Legislature, any people watching who have ever had an opportunity to travel through most of the First Nations communities in Ontario, will recognize one thing at the outset that they all share in common. They are all poor, or almost all are poor. They do not have the basic facilities which all of us take for granted.

If you go to Attawapiskat, you will see that the water is not fit for drinking. The people have had to be moved. There was a debate in this Legislature a couple of years ago: Children with sores all over their body had to be airlifted out to Timmins and Cochrane and other places where they could have better services. If one travels to some of the other communities—Port Albany hasn't had a school in years, not in years, because the diesel fumes have gone underneath the school, and they can't keep it open. The children who go there get sick. The parents have taken them out. There has been no attempt for them to get a new school or new facilities.

If you go there, you will see, endemic, young children sniffing gasoline and glue, alcoholism running rampant, people with no hope and no future—no roads, no sewers, electricity that is intermittent. If you go there, you will find the poverty, and the people, great portions of them, collecting social assistance and the pittance that that pays in Ontario. You will see them very often dropping out of school, and it's very uncommon to find most of them who have completed high school, never mind the chance to go to university. We have not done enough. We have not done enough for their human rights, and when I vote for this and we pass this today, I fully expect this Legislature to do something about it. It is not a matter of federal jurisdiction; it is a matter of human jurisdiction. We are a signatory to Treaties 3, 7 and 9 in Ontario. We are unique. We signed along with the First Nations and along with the federal government to guarantee in perpetuity that we would do everything possible to maintain the way of life of the First Nations and to make sure that they could share in the bounty of this land. We have failed abysmally in their human rights.

1510

I want to talk about the disabled, which is the second group in Ontario where I think we have failed abysmally.

We know from statistics that people who are disabled are most often poor. It is not synonymous; you don't have to be disabled to be poor. But I will tell you that if you are poor, you are likely disabled. It is what happens, and it happens because they do not have the same access to the prosperity of this province as all of the rest of us do. We know that to be disabled means you are eligible for the Ontario disability support plan, commonly called ODSP. We know that ODSP pays \$1,200 a month at the maximum, and we know that at \$1,200 a month, \$14,000 dollars a year, you live in poverty. We know, at the same time, that if any of them are capable of doing some small amounts of work and attempt to go out to better their lives, this government, this province, claws back half of everything they make; we know that. I've stood in this House many times, and will stand as often as I have to, until the government changes the law, to allow people to make the equivalent of \$6,000 to \$8,000 a year without having the money clawed back.

I pick that figure on purpose, and I want the government to hear it again. That is so that someone who goes out and gets a part-time job and who is disabled—we know they are disabled; we give them disability funds—does not have to live in poverty. Why should being disabled mean that your entire life you will live poor, that for your entire life your human rights will be violated? Why does that mean that? Why does that mean that in Ontario?

I chose the figure because if you combine \$6,000 to \$8,000 plus the maximum amount that we give for disability, ODSP, that will take somebody above the low-income cut-off figure, and I think that's what we need to provide. If we know that you cannot work, if we know that you were born with an intellectual disability and can do some work but maybe not hold down a full-time job, we know that that should not be tantamount to living your life in poverty and having your human rights violated.

I want to talk about the collecting of statistics, or perhaps if my friend Rosario wants to speak to this—I think not. We are, in the province of Ontario, starting in the school boards to collect statistics. We are starting to collect statistics on the incomes of parents and where they come from and what they speak—I am not sure that this is not a violation of human rights; I would like someone from the government to explain why this is being done and if this is not a violation of human rights—so that parents can pick and choose which schools their children go to on the basis of the literacy scores and the academic scores and whether or not poor children are in proximity to them. I think that is a very real violation. I would like to see an end to that, and if we support this, I would like to see the government put an end to it.

There is a very thorny issue for which I know that I'm going to get some complaints from some quarters across this province, but Ontario has twice been cited by the United Nations, under section 26 of this same human rights code, for our treatment of people and religious

education. Mr. Waldman, an observant Jew, has taken us to the United Nations twice because we provide funding for Catholic education in this province but refuse to provide funding for Jewish education. He has taken us twice, and it is coming up again next year, because it's coming back. He's going to go there again next year, and I know that we are going to be cited under the same section 26 again next year. So if we stand here today and say that we support the human rights code, we had better have a better explanation than we've had the last two times. The last two times, we simply chose to do nothing and to ignore it. I don't know what the solution is to that. I know it's a thorny issue, but I think that we cannot be in violation of the United Nations charter on one side and stand up here and support it on the other.

Better heads than I should be sitting around and thinking about this and what this province is going to do next year when we are about to get cited for a third time. Do we have a policy? Do we have a plan? Do we favour one education system? If we do, then we have to tell the world that we are prepared to live in violation. We cannot say any longer that we are in accord with this UN charter and not live it.

I have given four examples of what we need to do. We need, absolutely, if we are to stand here today and support this, to live it. We have to help our First Nations. We have to help our disabled. We have to bring our charter and our education system in compliance with section 26, and we have to stop collecting statistics that are used against the poor. If we do all of that, we will have done a real service not only to Ontario but the people of the world.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mrs. Laura Albanese: I am very happy to comment on my colleague the member from St. Paul's, first private member's resolution here in the Legislature, and I will gladly support proclaiming December 10 of each year as Ontario Human Rights Day. This will coincide with International Human Rights Day, as we've heard, which marks the signing of the Universal Declaration of Human Rights back in 1948—a document that has been translated into no less than 360 different languages.

This motion is not just a casual, proverbial reminder of the rights and freedoms that we enjoy and often take for granted. It is rather a lasting tribute to the substantive rights that all people across all nations are fundamentally entitled to, thanks, in large part, to generations before us who have struggled for decades to overcome adversity.

I also wish to point out that this motion would resonate with countless constituents in my riding of York South-Weston, where residents who have settled from every part of the world are all too aware of the ongoing challenges faced by many in their home countries. After all, my colleague from St. Paul's, though this initiative, offers Ontarians a sombre reminder that despite the near-universal acceptance of the declaration by governments, millions of people around the world continue to be deprived of basic human rights on a daily basis, 61 years on.

Recognizing the strides that we have made here in our province, we must fight to preserve an Ontario in which democracy, equality and the rule of the law are not only restricted to a few but thrive among the many. That is why we, as elected officials and as Canadians, must make every effort to promote human rights and lead by example.

I will conclude by saying that I fully support my friend's motion and that I look forward to marking Ontario Human Rights Day for years to come.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Lorenzo Berardinetti: I too echo the remarks made earlier in the brief comments that I'm able to make here.

I just wanted to read article 1—I don't know if anyone has read that yet—in the Universal Declaration of Human Rights. It says, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." That's the starting point for living a life where everyone is treated equally.

In my short moments here, I just wanted to congratulate the member for bringing forward this motion today. It's very, very important to have a resolution of this nature in front of us. I also want to point out that the majority of times, in history, from what I know, whenever a country or a group of people have decided to put together a declaration of rights, whether it be the Magna Carta or after the French Revolution—there were a number of rights put forward at that time; the Romans did it as well—it was usually after a war. This document also came after a war. What we need to do in the future, and what hopefully the member is achieving here by bringing forward this resolution, is that he is saying that we don't need to have a war; we don't need to have a conflict in order to go forward and protect and perhaps even bring forward new rights for all people.

It's a forward-looking document and a forward-looking idea. I support that very much and I congratulate him. I hope that we don't need a war or some kind of revolution or conflict in order to enshrine rights, that we are now enlightened enough to do it on our own.

1520

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Reza Moridi: I'm pleased to rise in this House today on behalf of the residents of my riding of Richmond Hill to speak on the motion put forward by our colleague from St. Paul's to proclaim December 10 as Human Rights Day in Ontario. Today commemorates the 61st anniversary of the Universal Declaration of Human Rights by the United Nations. The member from St. Paul's has been a very strong advocate of human rights around the world. He is the founder of an organization called War Child Canada, whose main aim is to assist children affected in war-torn countries around the world.

First of all, I fully support his motion and I expect all members of this House, of any political stripe, to support

this motion. But the point I want to make is that the respect of human rights and also the respect of ethnic rights are the two major pillars of democracy in every country around the world. In this country—we are so blessed to be Canadians—human rights are engraved in our constitution through the Charter of Rights and Freedoms, thanks to our late Prime Minister, Pierre Elliott Trudeau, who engraved this in our constitution, and also in our federal and provincial legislations.

In our blessed province of Ontario, I have heard Premier Dalton McGuinty many, many times speaking of diversity as a strength of this province. This is what we stand for, and we expect that countries around the world, nations around the world, stand for human rights.

In the country where I was born, human rights are not respected. Just three days ago, two million Iranian students poured into the streets from 50 universities in Iran. All the students poured into the streets to protest the violation of human rights in that country. We are so blessed that in this country we are free, we can express ourselves and our rights are respected. Wherever we come from—any cultural background, any ethnicity, any religion we practise, any language we speak or any colour we have—we are all the same. We are all equal, thanks to Canada.

I expect every nation to respect human rights around the world. Again, I commend our colleague the member from St. Paul's for bringing this motion forward.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Ms. Leeanna Pendergast: It is also my pleasure to rise in the House in support of the member from St. Paul's and ballot item 56 to declare December 10 as Ontario Human Rights Day. In the short amount of time that I have, I just wanted to thank my colleagues from St. Paul's, London-Fanshawe, Scarborough Southwest, Richmond Hill and York South-Weston for joining us in this debate.

I wanted to share some comments in several capacities: as a mom, of course, as a teacher, as a vice-principal, as the former parliamentary assistant for women's issues, as the current parliamentary assistant to education and, of course, as the member of provincial Parliament for Kitchener-Conestoga.

The member from St. Paul's reminded us that citizens deserve full and equal human rights. It reminds me of ancient Rome. The duties of a citizen from the outset, of course, were those responsibilities, as well as the duty to give back to society. What we heard from the member from St. Paul's today is that members of provincial Parliament have those duties as parliamentarians. As he said, politics matters. He also talked about a moral duty that we have, which, as we know, is ingrained in the essence of being a citizen and in the duty itself.

I wanted to share two thoughts on the concept of moral duty, one that I use as a mom, as a teacher to kids and as an MPP to my constituents. I remind you of the quote from Margaret Mead when she says, "Never doubt that a small group of thoughtful, committed citizens can

change the world. Indeed, it's the only thing that ever has."

The last thought that I wanted to leave you with in the time I have is a thought, of course, along the lines of moral duty from Mother Teresa, who said to us:

Spread love everywhere you go;
First of all in your own house.
Give love to your children,
To your wife or husband,
To a next-door neighbour.
Let no one ever come to you
Without leaving better and happier.
Be the living expression of God's kindness;
Kindness in your face,
Kindness in your eyes,
Kindness in your smile,
Kindness in your warm greeting.

That is our moral duty. It is a basic human right.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: First, I want to congratulate the member from St. Paul's for bringing such an important issue to the attention of all members and all the people who are watching and listening to us this afternoon across the province of Ontario.

I know the member is not just speaking, but has a passion about this issue and also acts on this issue. In his capacity as a doctor, he has travelled the globe to help impoverished people, people who are torn by war, people who are oppressed or who are not able to find care for themselves.

It's important to speak on this issue, not just in this place now, but to enact and, in our capacity as elected officials, to exercise that right and that ability to give to the people who deserve it all the attention.

I listened to people before me talk about the importance of human rights, the importance of people to be themselves, to have the ability to move and talk and speak and feel and express themselves without any fear, without being abused, without being jailed, without being killed. It's important. We take this for granted in Ontario and in this nation, because we are blessed and honoured to live in a society that gives us the right to do whatever we want, according to the laws and the constitution of this land.

I listened to the member from Beaches–East York, who said a lot of underprivileged people are living among us. I think it is our duty as citizens and elected officials to pay attention to those people and give them the ability to live like us and like others. It's important to remember all the people who live in poor conditions, who have no food to put on the table, who have no place to live, who have no place to shelter themselves and their families in this bad weather; and also to remember those people who have no right to speak for different reasons—for traditional reasons or for religious reasons.

As people of this planet, as citizens of the world, it is our obligation to speak up and defend the rights of people on this earth who have no rights.

I want to congratulate the member for bringing up such an important issue to declare December 10 Human Rights Day in Ontario, in conjunction with the universal day internationally, as declared by the United Nations.

Mr. Speaker, thank you for allowing me to speak. Once again, I want to congratulate the member for bringing this important topic to us and also congratulate him because I think it's the first private member's resolution he's brought before us. I wish him all the luck and success.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Seeing none, Mr. Hoskins, you have up to two minutes for your response.

Mr. Eric Hoskins: First, I would like to thank the members for York South–Weston, Scarborough South–west, Richmond Hill, Kitchener–Conestoga and London–Fanshawe. But particularly, I want to thank the members for Halton and Beaches–East York for their very profound, enthusiastic and responsible comments toward this resolution and toward human rights generally.

To the member for Halton, I appreciate in particular your reference to the Convention on the Rights of the Child, which is an important document that the Canadian government had a significant hand in drafting and promoting.

I understand your concern about the lack of a reference to sex in the resolution. The reason for that is that in human rights language, the term "sex," generally speaking, almost universally has been replaced by the term "gender," and that is the term I used in the resolution.

To the member for Beaches–East York, let me say that I am particularly grateful for your emphasis on anti-poverty measures that are required and our responsibility to First Nations. Perhaps I could say that the reason I felt so strongly about the need to declare an Ontario Human Rights Day, in the face of already having an international Human Rights Day, is specifically for the reasons you mentioned: The obligations and responsibilities we have for the people of Ontario are in many ways still unmet. There is a lot of work to do, and human rights are as important to the citizens of Ontario and Canada as they are to anybody around the world.

I think in closing, I would just like to say that the fact that this resolution, that the Universal Declaration of Human Rights was actually drafted by a Canadian, John Humphrey, speaks to the kinds of ideals that we have here in Ontario and Canada.

I'd like to conclude by wishing all of you a Merry Christmas, Happy Hanukkah, season's greetings and a happy and peaceful new year.

1530

The Acting Speaker (Mr. Jim Wilson): We'll vote on Mr. Hoskins' ballot item in about 50 minutes.

ELECTRICITY AMENDMENT ACT
(PROTECTION AGAINST
SECURITY DEPOSITS), 2009

LOI DE 2009 MODIFIANT
LA LOI SUR L'ÉLECTRICITÉ
(PROTECTION CONTRE
LES DÉPÔTS DE GARANTIE)

Mr. Crozier moved second reading of the following bill:

Bill 228, An Act to amend the Electricity Act, 1998 to protect residential customers from hardships created by security deposits / Projet de loi 228, Loi modifiant la Loi de 1998 sur l'électricité pour protéger les clients résidentiels contre les difficultés occasionnées par les dépôts de garantie.

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has up to 12 minutes for his presentation.

Mr. Bruce Crozier: I appreciate the opportunity today to debate second reading of this bill, which is a consumer protection bill. As we go through it, you may see some similarities to a bill presented by the government yesterday and debated, actually, this morning with regard to consumer protection. That bill did refer to deposits, but I don't know exactly what it is the government bill has in mind; I haven't yet read it. I know that there will be regulations to the bill. So I want to put forward my private member's bill that's coincidentally coming the same day, to either have it pass, which I certainly hope it does, but at least to emphasize to the Minister of Energy my feelings on a particular part of consumer protection.

This bill does basically five things: "A distributor shall not shut off the distribution of electricity under subsection (1)"—which is the first part of the bill—"to a property that is used, or is intended to be used, for residential purposes if,

"(a) the only amount payable that is overdue is in respect of a new security deposit, or an increase to an existing security deposit, demanded by the distributor; and

"(b) the person who is responsible for the overdue amount was receiving electricity from the distributor at the time that the distributor demanded the deposit or the increase to a deposit."

It refers to codes under the Ontario Energy Board which it would change. It says also "any provision in a contract between a distributor and a person who is receiving electricity from the distributor for a property that is used, or is intended to be used, for residential purposes."

Finally, it says, "Within three months after the day" that this bill would come into effect, "a distributor shall notify each person who is at that time receiving electricity from the distributor for a property that is used, or is intended to be used, for residential purposes of the prohibition in" this subsection. In other words, it lets everyone know that this exists, and if the distributor asks

for an increase in a deposit, they understand what their rights are.

So let's define the problem as I see it and as it has arisen in my riding. Some electricity retail distributors in Ontario have begun to charge their existing customers with security deposits that we have found are as large as two and a half times their highest bills, sometimes in excess of \$1,000. These changes appear on a customer's bill once they've received more than one disconnection notice in a 12-month period. In some cases, these notices of pending disconnection are sent within one day of the bill being overdue. They haven't threatened them with cutting their electricity off, even. The bill is just, in one or two cases we've found, one day overdue, meaning that a person can be charged a large security deposit simply for being late in paying their bill more than once in a 12-month period.

What's more, the customers are told that not only do they have to pay their ongoing usage costs in order to avoid being disconnected, but they now must also pay their security deposit in order to avoid being disconnected as well.

We've seen recently a steady increase in the number of constituents, and there were several days where we had one per day, visiting our constituency office with this problem. These people have struggled to pay their bills for the most part, and just when they're finally caught up, they're hit with huge security deposits that they simply can't afford. And then, to make things even worse, they're told that their power will be shut off if they don't pay up on the security deposit.

For many of our constituents, it can be difficult just keeping the current and actual usage charges up to date. We understand that in today's economy these can present difficulties, never mind having to pay an additional \$500 to \$1,000 on a security deposit.

Many see the fact that they can be disconnected from an essential service for non-payment of a charge that is unrelated to the actual usage of their electricity as an unjust policy that has a disproportionate effect on low-income people, and I agree.

Until 2002, electricity retail companies in Ontario were free to set their own individual policies surrounding security deposits. At that time, the Ontario Energy Board—we know it as the OEB—began consultations to craft guidelines as to when and how much hydro companies could charge their customers. During the consultations, the OEB received submissions from companies across the province regarding their individual security deposit policies, and at the time some companies had quite punitive policies. I might say, in singling one out, that Hydro One stands at the top of the list, and when it comes to the concerns that are brought to my office, Hydro One stands at the top of the list. Some of our urban members may not have run into this problem yet. Others, however, had quite lenient policies, charging only small deposits when new accounts were opened or when accounts were reconnected after being shut off for non-payment.

The board also received submissions from customer advocacy groups, which urged the OEB to err on the side of the consumer by adapting more lenient policies already in use by some companies and applying them across the board to all electrical retail companies.

The Vulnerable Energy Consumers Coalition recommended to the board at the time, "The proposed code amendments set out a formula for calculating the maximum amounts of a security deposit which a distributor may require of a residential customer.... These amounts could be prohibitive for many low- and fixed-income customers, as even a cursory analysis of income levels of those in the lower-income brackets and the financial challenges they encounter reveals."

The energy consumers' coalition went on to say, "If the board proceeds with the proposed amendments to the code which would impose security deposit requirements on virtually all residential consumers, we propose that the code be amended to state that non-payment of a customer's security deposit by a residential customer be specifically exempted from the distributor's power to terminate service under section 31 of the Electricity Act, 1998."

That is what I am proposing, in this bill, that we do.

Mr. Rosario Marchese: I'm supporting you, Bruce.

Mr. Bruce Crozier: Thank you. My friend from Trinity-Spadina supports me, and I appreciate that.

I have several examples that will really point out how difficult this can be. Here is a case: Ontario Works called our office. They have one of our constituents in their office, and Ontario Works is trying to assist them with social services. The husband has a broken leg and is off work, their hydro bill is overdue, and the hydro company put a security deposit of \$1,500 on their account. They're getting assistance from Keep the Heat, but cannot afford this deposit. I'm not so sure that I'd like to shell out \$1,500 for a deposit on my electricity bill.

1540

Mr. Rosario Marchese: Go after them, Bruce.

Mr. Bruce Crozier: I will.

So we sent a fax and an authorization to discuss their account to Hydro One regarding their situation and the security deposit requested. Hydro One called us back right away and said, "No chance of reducing the deposit."

Another example: A constituent came into the office because she had received a bill from Hydro One for an additional security deposit of \$240. She'd just paid them an \$805 security deposit a month before, and now they wanted more. "The constituent, frankly, was in tears and"—and this is my staff in the office talking—"I told her I would call Hydro One to see what I could do. I called our contact at Hydro One and asked her if there was anything at all that could be done. I explained that the constituent had just paid a large deposit and, obviously, it was upsetting to her to then get a bill for even more."

My constituent staff was told that the constituent had been late a few times since the first deposit was paid and this triggers the computer to double-check her deposit

amount to make sure it's two and a half times her highest monthly bill.

That's what we're having to deal with with some of these—I cited one in particular—electricity distributors. So I'm asking today that my colleagues in the House consider this problem and that they support second reading of this bill so that we can, at least, assist some of those who are having difficult times with paying their hydro bills in the province of Ontario.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Norm Miller: It's my pleasure to add some comments with regard to Bill 228, which is An Act to amend the Electricity Act, 1998 to protect residential customers from hardships created by security deposits.

As has been explained, the bill amends section 31 of the Electricity Act, 1998, "to prohibit electricity distributors from shutting off the distribution of electricity to residential property if the only overdue amount payable by the person receiving electricity is in respect of a new security deposit or an increase to an existing security deposit."

I'm happy that the member from Essex has brought this bill forward. I will be supporting it. I would say that I've had numerous situations in the riding of Parry Sound-Muskoka where people have contacted my constituency office, usually when the power is about to be disconnected or has been disconnected. In many cases, it is because a security deposit has been requested.

The way it often works is that the customer has been making regular payments and then, for whatever reason, misses or is late with one or more payments within a year. That could be because they were away on holidays and got back and missed the due date on the hydro bill by a few days, or perhaps it got lost in the mail—lots of things can happen; whatever. Because they were late on a couple of payments, then, as has been mentioned, a security deposit, which is often two and a half times the highest monthly bill, is requested. If they can't come up with the money for that, the power might be shut off. This bill would make it illegal to shut off the power if that's the only money that's owing; they've been making the regular monthly payments but aren't able to come up with the money for the security deposit.

I would simply say that in many cases the people this is happening to—there's often a reason why they're struggling to make their payments, and requesting a security deposit is like getting blood from a stone. If they're struggling to make the monthly payment, where are they supposed to come up with this security deposit?

I'd like to illustrate, with some correspondence I've had in my office, exactly to do with this issue, just some real-life situations. I will omit names, but here's a long letter from a constituent, from which I will take some excerpts to try to tell their story:

"In May of 2008 the Hydro One company sent me a notice telling me I owed a \$1,785 security deposit. The Hydro One company called me numerous times from May to October this year. They said that my account was

way overdue and I'd better do something about it or they would disconnect me.

"I talked to the Hydro One company on six separate occasions regarding my account. I said to them that they should check my record in the past. I said [that] for over 30 years I've had hydro accounts and never been behind on my bill and always been current. Doesn't that count for something? I was told that I'm just another number in the system, and the computer automatically sends out the bills, including security deposit requests. I complained on those six separate occasions that the human factor when dealing with people has completely disappeared."

And further down in the letter:

"I sleep at night with a BiPAP machine, which assists me to breathe while sleeping. I woke up Tuesday, October 28, at 8:30 a.m., gasping for air. The power had gone out and my breathing machine had stopped working. I then got up and called Hydro One. I was told that my power had been cut off for non-payment of my bill. I complained that my consumption has been kept current for over 10 months and in fact the amount you are telling me I'm overdue on my account only pertains to the security deposit. The Hydro One employee told me that if I didn't pay the total amount of the bill, they would not turn the power back on. I stated that I had a machine that assists me in breathing at night and I also needed to keep my insulin in the fridge since I'm also a diabetic. The Hydro One employee said, well, that's too bad but there was nothing he could do.

"I brought to this person's attention that there was \$1,670 that Hydro One wanted and the security deposit that had been requested was \$1,785. I told this employee of Hydro One that, 'Other than the fact that you want this security deposit I couldn't pay, I would actually have a credit for over \$100 on my account.' His reply was, 'Well, sir, you owe us \$1,670 and until we receive these funds, your power will not be turned on.' At this point I was totally frustrated and upset.

"This brought me to contacting your office. Yvonne in your office took my call and listened to my story. It was so nice to talk to someone that was polite, courteous and had some compassion for my situation. Yvonne told me she would see what could be done through your office."

And to make a long story short, eventually through negotiations the security deposit was waived. He goes on to say:

"I must thank you, Mr. Miller, for all your assistance that you and your staff have provided. The kindness and compassion your office has extended to us has been wonderful.

"My wife and I are truly grateful. In closing, I will say that the human factor needs to be exercised in cases such as mine. There must be many others out there in the same situation that are as helpless as we were in this situation. Having to pay this reconnection fee"—that was the other news, that there was a \$400 reconnection fee—"for something that Hydro One ended up waiving in the end is bizarre."

I must say that all the credit goes to Yvonne and my office staff, not to me, for that situation. But it illustrates what is happening with lots of people.

Another constituent writes in:

"There are times the hydro is out for days.... With the times right now, so many people out of work or cut back"—it's written; it's a little hard to read—"in their hours, it's not easy to keep up with everything and still put food on the table.

"Now Hydro One wants to us pay a security deposit because we haven't had enough money to pay the bill in full each month. If we could pay our bill in full each month, we would do so...."

"We aren't the only family that is finding it hard to make ends meet. I hope you can help us and anyone else with the same problem with Hydro...."

It goes on: "The cost of living up north is very high and we just can't compare, since most people have to travel to work half an hour or more"—and not to get too political, but he'll have 8% more to pay next July 1, with the HST, I'm afraid to say.

Another constituent writes:

"I was in breach of one of their conditions that I not receive more than one notice of disconnection within the previous 12 months. I received notices last December and this July and have paid promptly on receipt of such notices. And consequently I am required to provide Hydro One with a security deposit equivalent to 2.5 times my average monthly bill, amounting to \$840, which is a substantial amount of money for me.

"I am self-employed and operate a small drywall business with several employees from my home. As you can appreciate, in this industry there are always cash-flow problems, particularly these days, and we have been late in paying our bills. However, we always pay our bills and we are currently paid up. The only other time I can recollect that we received such a notice was in 2007, when businesses was flat. I consider the requirement for such a high security deposit a counterproductive and unnecessary burden in these trying times. I hope that will give you a better appreciation of where I'm coming from on this issue. I hope you can help us out."

I've got many more examples, but I think they do illustrate that it's a real problem out there.

I commend the member from Essex for bringing this private member's bill forward, and I hope members will support it. I'll leave some time for other members of our caucus who wish to speak to this.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Rosario Marchese: I'm going to be supporting this bill. It's a good bill. The member from Essex made a sound argument. And given the context of this economic disaster that we have faced over the last little while, the context of low-income ratepayers who are seriously affected, the context of the potential for this government to continue to sub-meter even more and the context of the impact of the government's energy policies, I believe this bill is sound and I'm going to support it.

1550

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Khalil Ramal: I am pleased to stand up and speak in support of Bill 228 An Act to amend the Electricity Act, 1998, to protect residential customers from hardships created by security deposits.

I know the member from Essex spoke about this issue, about why he came up with this idea, and he wanted to share it with us in this place. I know in his old capacity as a mayor, he used to sit on the utility commission in his township.

This is important because so many people across the province of Ontario who are facing difficult times, facing hardship, cannot come up with the money to pay hydro. They get penalized if they're overdue a day or two, they're sent a disconnect notice, and if they don't pay it, the security deposit goes up, sometimes up to \$1,000. I think it's a punitive measure. So many different companies, distributors of electricity, don't care about this issue. Some of them are good; some of them are bad. Some of them don't care about the circumstances some people are facing. They want their money to be collected; otherwise they'll be penalized or be disconnected from hydro. Therefore, they created the security deposit. As the member from Essex mentioned, sometimes that security deposit goes up to \$1,000. That's a lot of money for a person who is collecting money from Ontario Works or who has lost his or her job, and they live in a house with their family—especially in cold weather like today—where they cannot afford to lose hydro for even one minute.

We heard the member from the opposition party speaking about many different examples. One of his constituents talked about how she lost her hydro. In the meantime she was sick and she needed to use the fridge to put her insulin in because she's diabetic. So we hear a lot of different stories on a regular basis.

In my constituency office in London, Ontario, especially in the wintertime, we hear a lot of bad stories. We hear a lot of stories from constituents who, for some reason, are facing difficult times and they're not able to pay the hydro bill, so they're faced with losing their hydro. They're forced to live with no hydro. Their families have no stove to cook on, they have no heat in their homes. I think it is a very important issue. We should deal with it in a professional matter.

I know our government was debating an energy bill today to create a balance between the consumers and also the distributors, to create a fair balance between the customer and the company that distributes. But the member from Essex brought to our attention some important elements, and hopefully both sides of the House will support it and it will go forward to committee, will be ironed out and will also see more details so that it can be beneficial to the people of Ontario.

So, again, I want to thank the member from Essex for enlightening us about his experience and sharing all of his thoughts and information with the rest of us in this place and with the people of Ontario.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Ted Arnott: I'd like to speak to Bill 228 this afternoon. I was hoping that my speech would be shorter than the member for Trinity-Spadina, but I don't think I'm going to be able to do that; there are still a few minutes on the clock.

I certainly want to express my support, in principle, for Bill 228. I certainly do have a high regard for the member for Essex and the work he does here. I know he's been in the Legislature since—I think it's 1993, Bruce?

Mr. Bruce Crozier: Yes.

Mr. Ted Arnott: I remember that by-election and I remember him taking his seat in the House. He's been here for a long time and done good work on behalf of his constituents.

It's clear to me that this is a bill that has come out of his constituency office, which I think is often the best kind of private member's bill, which actually comes forward based on things we hear from real people in our ridings and issues that need to be addressed. He talked about a number of true-life examples of situations that have arisen in his riding where people have experienced hardship on this.

The only thing I would say with respect to this bill is, I hope that—and I assume it will pass, because it appears that it has the support of all sides of the House—it would be referred to a standing committee so that there could be some further discussion. I think that the local electrical distribution companies, what we used to call the PUCs, now the corporations, should have a chance to have some input as to some of these policies, as well as the Hydro One staff, so that we could hear both sides of the story and then hopefully move forward in a way that's in the public interest and in a way that protects consumers.

So again, to the member for Essex, I think it's a good bill and I congratulate you for bringing it forward. It will have my support. I would encourage all members of the House to give consideration to supporting it as well.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Michael Prue: At the outset I want to say that I too will be supporting the bill. I'm sure all MPPs in this House have, from time to time, received the kinds of letters that have been referred to here today. In my own office, from time to time, we have people who come in who maybe have lost their job or have found some unexpected bills, and hydro or the gas company or somebody is there at the ready to shut them down. It's not because they owe any amounts or that they're not willing to pay; they're just simply having a cash crunch at a particular time. The penalty to them seems to me overly harsh.

So I'm going to support this bill and I think it's absolutely the right thing to do, but there are two things that I have to say. The Minister of Energy put his bill in, and I'm not sure, as the member from Essex rightly pointed out when he was introducing the bill, how this is going to impact or whether there's going to be something

contained within the regulations of the Ministry of Energy's bill that was put before the House yesterday and was debated in part today. I too have not had an opportunity to read that, but I would hope, in any event, that his bill, or at least the regulations, does contain what you are trying to do here today.

I know what happens to most private members' bills around here. Even though they're good ideas, unless the government picks them up and runs with them at some point, they invariably die at prorogation or some other time. I see my colleague from Brampton, and her wonderful bill on fire sprinklers has never seen the light of day, although every single time it comes up we have people in here trying to speak in favour of it—

Mr. Dave Levac: Tell us how yours did.

Mr. Michael Prue: Mine passed, again.

Mr. Dave Levac: How?

Mr. Michael Prue: How? It was because every member who was there wanted to support it. But very often you see private members' bills that are really excellent ideas that don't tend to go anywhere.

First of all, we have a whole process by which we choose them. The Liberals can have two, the Conservatives can have one and the NDP can have one. They are allowed to go forward but not given any real support. I had the opportunity, as the chair of the regulations and private bills committee, to try to shepherd four of them through, but when you're given one hour for deputations and one hour to do clause-by-clause, it doesn't take much to throw them off the rails.

I see my colleague from Peterborough nodding. He had an excellent bill, and it was just simply thrown off the rails. To him, I can only say, that bill should have passed. If it doesn't pass, I would hope the government would pick it up and run with it sooner rather than later in the form of some other bill. We all have good ideas here. It just seems that if you are not in the cabinet, your good ideas don't often see the light of day. I commend the member.

The second thing I wanted to talk about is the companies themselves. I have noticed something not very good happening over the last number of years. It was my privilege and honour at one point to be the mayor of the borough of East York, a community—although some people called it small—of 120,000 people. Part of my duties as the mayor was also to be a hydro commissioner. I served on the hydro commission of East York for a period of nearly five years, and it was a very rewarding and intellectually stimulating time. I did not know a great deal about hydro or the production of electricity or what was done, so it took some time to learn.

1600

One of the human elements there was that we did not cut off anyone's hydro until it had come to the hydro commission. There were two elected hydro commissioners and the mayor; there were three of us. We had an opportunity for a person to come forward, if they were going to be cut off, to tell their side of the story before it was done, and we also gave them an opportunity to pay

down any of the debts they may have had. So if somebody came forward in good faith, told us why they had not paid and made a payment of \$50 or \$100 against the debt, we would give them another month. We would expand it. We wouldn't just shut them down in the middle of the night, especially when they had medical conditions. We would not do that. We saw that as our duty and our responsibility, and the elimination of the hydro commissions and the elimination of the human element to where you simply phone someone, a faceless person whom you phone, who tells you off in the middle of the night, that you're going to have to pay, is not a good forward step.

I'm not sure whether this is ever going to see the light of day, but I would like to see some kind of body—maybe it will never be an individual community hydro commission again—to whom a person can appeal, some kind of body to whom they can go if they're not able before it is shut down. So they may have a week or 10 days to go before the body, explain why they're unable to pay and try to make some financial arrangements, which would seem reasonable, before it's cut off. If that can be done, that would be a good thing too.

I commend the member. I hope that it's contained or subsumed within the body of the new energy bill or that, if it is not, the regulations that the minister can sign can do that. I ask all of us, when we're developing these new goals, these new institutions, these new corporations and the laws that go around them, to never forget the human element, because it is that which makes Ontario great, and not the fact that a corporation makes millions of dollars, but the fact that people will listen and people can act and people of good faith can, in the end, not be harmed.

The Acting Speaker (Mr. Jim Wilson): Thank you. Further debate?

Mr. Jeff Leal: I'm pleased to have an opportunity to support Bill 228, which has been put forward by my colleague from Essex, Mr. Crozier. I know that his interest in this issue of security deposits goes well beyond his time here, as he's been here since 1993. I certainly know—he was the former mayor of Leamington and sat on the public utilities commission in Leamington—that as mayor, he would often get people coming into his office, no doubt with these challenges of security deposits.

At that time, most public utilities commissions in the province of Ontario did have a mechanism to hear people that found themselves in somewhat difficult financial situations, couldn't pay these deposits, and the publicly owned utilities with these commissions would take the time to review those cases and put in place a repayment schedule that would meet the needs of the individual who demonstrated a really serious problem.

I certainly believe that the provision of electricity is indeed an essential service. It's something that we all depend on each and every day. It's interesting to note, back in 1960s and 1970s, the old Hydro One had a slogan, Live Better Electrically. There was a great rush at

that particular time to install baseboard heating services across the province of Ontario. Indeed, many low-income individuals acquiring homes and apartments installed these baseboard heating systems, and we know now that, without proper insulation, these baseboard electric services can certainly run up extremely high bills, and people find themselves in very difficult positions. Sometimes these security deposits are 2.5 times their bill, ranging from \$500 to approximately \$1,000.

We know that several studies have indicated that particularly low-income Ontarians spend a higher degree of their income on such essentials as electricity, fuel and water. When they have to face the problem of a security deposit, it becomes a very punitive situation that they find themselves in. When we add the deregulation of the electricity market, when we had many private entities that went around the province of Ontario and scooped up former public utilities, we found that their policies were even harsher when it came to security deposits because they were very concerned about the bottom line and the bottom line only, as opposed to former publicly owned utilities that were much more sympathetic when people would come to them with their cases about security deposits.

Mel Hurtig wrote a book several years ago entitled *Pay the Rent or Feed the Kids*, and through that book he certainly identified the need to keep providing electricity as an essential service.

I believe Mr. Crozier has brought forward a very important bill and something that we need to support in this House to get rid of these punitive security deposits, to make sure that we continue to provide electricity as an essential service.

The Acting Speaker (Mr. Jim Wilson): Further debate?

Mr. Dave Levac: It is indeed a great pleasure to speak to the private member's bill. I continually mention, time and time again, that indeed it is a private member's time and it is a private member's bill, and to each individual who does bring in those ideas, I have committed myself to continually evaluating and commenting on the individual's idea, the individual's concept. This is not attached to the government, so Bill 228 is an experienced member's experience in his constituency, and then he did further research to find out what was happening in the province of Ontario. So I want to commend him first, the member from Essex—

Mr. Bruce Crozier: Essex. It's a tongue-twister.

Mr. Dave Levac: Just a minute. Merry Christmas—and to compliment him on bringing that voice to Queen's Park.

Now, some members have voiced some concerns over the last few Thursdays during private members' time that it's co-opted by the government and that there's creeping politics coming into it. That's the thrust and parry of what this place is all about, but anyone who says, in this particular moment, that anyone's got a monopoly on good ideas has not been paying attention to a lot of the ideas that have been floated in private members' time.

I recall being, in 1999, a member who gave 15 different private members' bills, and inside of those 15 private members' bills, the government of the day found a way to put them in some of their government bills. When I became, on this side, a part of the government, I offered a few other private members' bills that have found their way into government policy. My own self, personally, I have not been offended by that. What I've said is that at least somebody took an idea and made a run of it, and that's quite all right by me.

I remember writing a letter to one of the government members of the day when I was in opposition that said, "Please steal the idea. Take it. I don't need credit." What we're talking about in this particular bill is something that everyone, so far, has stood up and said they thought was reprehensible—that this type of thing was happening in the province of Ontario, particularly to those who are less fortunate or who can less afford to have these kinds of caps on top of their own payment of their bills. The member has found something that I think this House can indeed take a look at, and it will continue to be talked about.

The member has indicated a willingness to meet with the companies, to give them an opportunity to share their opinion and their ideas as to why they think it's important to do these types of things. There might very well be, and I say this hesitantly, a reason why they are doing what they're doing. If there is a good, logical, rational reason for doing it, they haven't done a good job of explaining why it works. I want to just stand on record and say that this member has brought forth a good private member's bill that deserves a good looking at, and I'm pleased to do that.

I'm also saying to you that I will be supporting the bill and I've had these types of e-mails and phone calls in my riding as well. The member has found something that all of us can agree on, that if there's a way for this government and this House to deal with private members' time, it is to take a good idea and make a commitment to investigate and to deal with some of these issues that make it difficult for us. I'm all for it and I congratulate the member for doing so.

Finally, with the last few seconds that I do have, I want to just take a moment to say a very Merry Christmas, season's greetings and all of the wonderful good joy that everyone deserves at Christmas time, to our security guards, inside and out, especially Harold; our clerks, the House committee and House clerks; the maintenance crew; the cleaning staff; the pages, the university pages, the elementary pages; the co-op placements; library research; legislative counsel; ministry staff; constituency office staff and all their families; and the Queen's Park office staff and all their families. Each and every one of you, on behalf of myself and my family, I wish you all the joy—

Interjections.

Mr. Dave Levac: Particularly the guy with the sword, the Sergeant-at-Arms. I want him to feel very comfortable. Just stay right where you are and don't go any-

where, because I think that sharp thing should just stay right where it is. You need a new chair because you've poked a hole in it.

Anyway, Speaker, to you and your family, Merry Christmas, and to all a good night.

The Acting Speaker (Mr. Jim Wilson): Thank you. Is there any further debate?

Seeing none, Mr. Crozier, you have up to two minutes for your response.

Mr. Bruce Crozier: I don't know whether I can follow that or not, but I do want to thank the members for Parry Sound–Muskoka, Wellington–Halton Hills, Beaches–East York, Trinity–Spadina, London–Fanshawe, Peterborough and Brant for speaking today on this bill. I have to admit that I'm often not around here on a Thursday afternoon, and I was afraid, since this very well might be the last piece of business before Christmas, that there might not even be anybody here to listen to my bill.

Mr. Paul Miller: Oh, we're here.

Mr. Bruce Crozier: You're here. I really appreciate that.

But I also want to thank Darcie, Patti and Tracy in my constituency office—Tracy works part-time; Darcie and Patti are there every day of the week—because they're the staff who have to deal with these kinds of situations. Quite frankly, they brought it to my attention and said, "Bruce, we think this is something we should bring up in private members' business." So I want to thank them. They may even be watching today if they haven't left. It's a Friday, and I don't know what they—or a Thursday. It's only a Thursday.

I also want to thank Mark, who is in the members' east gallery here. He is my Queen's Park face. Mark works with me part-time here. I tell them I'm low maintenance down here so I don't need to—but thanks, Mark, for your part in this.

To legislative research and those who drafted the bill, I appreciate all the comments today, and I want to tag onto the wishes of my friend here.

The Acting Speaker (Mr. Jim Wilson): The time provided for private members' public business has just about expired.

FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY
AMENDMENT ACT
(INSTITUTIONS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR L'ACCÈS À L'INFORMATION
ET LA PROTECTION DE LA VIE PRIVÉE
(INSTITUTIONS)

The Acting Speaker (Mr. Jim Wilson): We'll first deal with ballot item number 55, standing in the name of Mrs. Savoline.

Mrs. Savoline has moved second reading of Bill 227, An Act to amend the Freedom of Information and

Protection of Privacy Act. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

We will call in the members after we deal with the next two ballot items.

HUMAN RIGHTS

The Acting Speaker (Mr. Jim Wilson): We'll now deal with ballot item number 56.

Mr. Hoskins has moved private members' notice of motion number 125.

Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

ELECTRICITY AMENDMENT ACT
(PROTECTION AGAINST
SECURITY DEPOSITS), 2009
LOI DE 2009 MODIFIANT
LA LOI SUR L'ÉLECTRICITÉ
(PROTECTION CONTRE
LES DÉPÔTS DE GARANTIE)

The Acting Speaker (Mr. Jim Wilson): We will now deal with ballot item number 57.

Mr. Crozier has moved second reading of Bill 228, An Act to amend the Electricity Act, 1998 to protect residential customers from hardships created by security deposits. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. It's carried.

Second reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Mr. Crozier.

Mr. Bruce Crozier: I would request that it be referred to the Standing Committee on Finance and Economic Affairs.

The Acting Speaker (Mr. Jim Wilson): Is it agreed that it be referred to the standing committee? So ordered.

FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY
AMENDMENT ACT
(INSTITUTIONS), 2009

LOI DE 2009 MODIFIANT LA LOI
SUR L'ACCÈS À L'INFORMATION
ET LA PROTECTION DE LA VIE PRIVÉE
(INSTITUTIONS)

The Acting Speaker (Mr. Jim Wilson): We'll now call in the members. This will be a five-minute bell.

The division bells rang from 1614 to 1619.

The Acting Speaker (Mr. Jim Wilson): Mrs. Savoline has moved second reading of Bill 227. All those in favour of the motion will please rise and remain standing until counted by the Clerk.

Ayes

Amott, Ted
Chudleigh, Ted
Elliott, Christine
Hardeman, Ernie

Marchese, Rosario
Miller, Norm
Miller, Paul
Prue, Michael

Rinaldi, Lou
Savoline, Joyce
Sterling, Norman W.

The Acting Speaker (Mr. Jim Wilson): All those opposed will please rise and remain standing until counted by the Clerk.

Nays

Aggelonitis, Sophia
Albanese, Laura
Balkissoon, Bas
Berardinetti, Lorenzo
Best, Margaret
Cansfield, Donna H.
Colle, Mike

Delaney, Bob
Dickson, Joe
Duguid, Brad
Fonseca, Peter
Jeffrey, Linda
Leal, Jeff
Mangat, Amrit

Moridi, Reza
Pendergast, Leeanna
Qaadri, Shafiq
Ruprecht, Tony
Sergio, Mario
Zimmer, David

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 11; the nays are 20.

The Acting Speaker (Mr. Jim Wilson): I declare the motion lost.

Second reading negatived.

The Acting Speaker (Mr. Jim Wilson): Orders of the day.

Hon. Brad Duguid: Speaker, I wish you and all members and staff here today in the Legislature a Merry Christmas and all the best for the holidays, and I'm pleased to move adjournment of the House.

The Acting Speaker (Mr. Jim Wilson): Mr. Duguid has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

I just want to join with all members in wishing the best in life to our pages, as this is, of course, their last day.

Applause.

The Acting Speaker (Mr. Jim Wilson): Merry Christmas and happy holidays to everyone. This House stands adjourned until February 16, 2010.

The House adjourned at 1622.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Transportation / Ministre des Transports
Broten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Hon. / L'hon. Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. M. Aileen (LIB)	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Eric (LIB)	St. Paul's	
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Consumer Services / Ministre des Services aux consommateurs
McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Opposition House Leader / Leader parlementaire de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
Smitherman, George (LIB)	Toronto Centre / Toronto-Centre	
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Zimmer, David (LIB)	Willowdale	

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Robert Bailey, Gilles Bisson
Jim Brownell, Kim Craiton
Bob Delaney, Garfield Dunlop
Phil McNeely, John O'Toole
Khalil Ramal
Clerks / Greffiers: William Short (pro tem.), Sylwia Przewdziecki

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Toby Barrett, Kevin Daniel Flynn
Eric Hoskins, Pat Hoy
Michael Prue, Peter Shurman
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Vice-Chair / Vice-présidente: Helena Jaczek
Helena Jaczek, Kuldip Kular
Amrit Mangat, Rosario Marchese
Bill Mauro, Reza Moridi
David Orazietti, Joyce Savoline
John Yakabuski
Committee Clerk / Greffier: Trevor Day

Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux

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Vice-Chair / Vice-présidente: Lisa MacLeod
Laura Albanese, Michael A. Brown
Howard Hampton, Ernie Hardeman
Rick Johnson, Lisa MacLeod
Yasir Naqvi, Leeanna Pendergast
Jim Wilson
Committee Clerk / Greffier: Douglas Arnott

Standing Committee on Justice Policy / Comité permanent de la justice

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Jeff Leal
Lorenzo Berardinetti, Ted Chudleigh
Christine Elliott, Peter Kormos
Jeff Leal, Dave Levac
Leeanna Pendergast, Lou Rinaldi
David Zimmer
Committee Clerk / Greffière: Susan Sourial

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Vice-Chair / Vice-président: Khalil Ramal
Bas Balkissoon, Jim Brownell
Bob Delaney, Joe Dickson
Rick Johnson, Sylvia Jones
Norm Miller, Khalil Ramal
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

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Vice-Chair / Vice-président: Ted Arnott
Ted Arnott, France Gélinas
Phil McNeely, Jerry J. Ouellette
David Ramsay, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Kim Craiton, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Tony Ruprecht
Mario Sergio
Clerks / Greffiers: Trevor Day (pro tem.), Sylwia Przewdziecki

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INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

The Speaker (Hon. Steve Peters).....	9222
--------------------------------------	------

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Legal aid

Mr. Norm Miller	9222
-----------------------	------

Government's record

Mr. Rosario Marchese	9222
----------------------------	------

Taxation

Mr. Rick Johnson	9223
------------------------	------

Aboriginal land dispute

Mr. Toby Barrett	9223
------------------------	------

International trade

Mrs. Amrit Mangat	9223
-------------------------	------

Private members' public business

Mr. Robert W. Runciman	9223
------------------------------	------

Taxation

Mr. David Zimmer	9224
------------------------	------

Hanukkah

Mr. Eric Hoskins	9224
------------------------	------

Member for Toronto Centre

Mr. George Smitherman	9224
Mrs. Elizabeth Witmer	9224
Mr. Michael Prue	9224
Mr. Dave Levac	9225
Mr. David Zimmer	9225
The Speaker (Hon. Steve Peters).....	9225

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

Liquor Licence Amendment Act (Unlawful Weapons in Bars), 2009, Bill 238, Mr. Colle / Loi de 2009

modifiant la Loi sur les permis d'alcool (armes
illégalés dans les bars), projet de loi 238, M. Colle

First reading agreed to	9225
-------------------------------	------

Mr. Mike Colle	9225
----------------------	------

Employment Standards Amendment Act (Lay-offs), 2009, Bill 239, Mr. Paul Miller / Loi de 2009

modifiant la Loi sur les normes d'emploi (mises à
pied), projet de loi 239, M. Paul Miller

First reading agreed to	9225
-------------------------------	------

Mr. Paul Miller	9225
-----------------------	------

Highway Traffic Amendment Act (Ignition Interlock Devices in School Vehicles), 2009, Bill 240, Mr. Levac / Loi de 2009 modifiant le Code de la route (dispositifs de verrouillage du système de démarrage dans les véhicules scolaires), projet de loi 240, M. Levac

First reading agreed to	9226
-------------------------------	------

Mr. Dave Levac	9226
----------------------	------

International Human Rights Day

Hon. Christopher Bentley	9226
--------------------------------	------

Mr. Ted Chudleigh	9227
-------------------------	------

Mr. Michael Prue	9227
------------------------	------

PETITIONS / PÉTITIONS

Taxation

Mr. Jim Wilson	9228
----------------------	------

Reconstructive surgery

Mr. Rosario Marchese	9228
----------------------------	------

Social services funding

Mr. Bob Delaney	9228
-----------------------	------

Reconstructive surgery

Mrs. Elizabeth Witmer	9229
-----------------------------	------

Child protection

Mr. Michael Prue	9229
------------------------	------

Firearms control

Mr. Mike Colle	9229
----------------------	------

Taxation

Mr. Ernie Hardeman	9229
--------------------------	------

Taxation

Mr. Michael Prue	9230
------------------------	------

Reconstructive surgery

Mr. Ted Arnott	9230
----------------------	------

Elmvale District High School

Mr. Jim Wilson	9230
----------------------	------

Visitors

The Speaker (Hon. Steve Peters).....	9230
--------------------------------------	------

PRIVATE MEMBERS' PUBLIC BUSINESS / AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Freedom of Information and Protection of Privacy Amendment Act (Institutions), 2009, Bill 227,

Mrs. Savoline / Loi de 2009 modifiant la Loi sur
l'accès à l'information et la protection de la vie
privée (institutions), projet de loi 227,
Mme Savoline

Mrs. Joyce Savoline	9230
---------------------------	------

Mr. Rosario Marchese	9232
----------------------------	------

Mr. David Zimmer	9233
------------------------	------

Mr. Ted Arnott	9233
----------------------	------

Mr. Michael Prue	9235
Mr. Khalil Ramal	9235
Mr. Norm Miller	9236
Mrs. Joyce Savoline	9237
Human rights	
Mr. Eric Hoskins	9237
Mr. Ted Chudleigh	9239
Mr. Michael Prue	9241
Mrs. Laura Albanese	9242
Mr. Lorenzo Berardinetti	9243
Mr. Reza Moridi	9243
Ms. Leeanna Pendergast	9243
Mr. Khalil Ramal	9244
Mr. Eric Hoskins	9244
Electricity Amendment Act (Protection Against Security Deposits), 2009, Bill 228, Mr. Crozier / Loi de 2009 modifiant la Loi sur l'électricité (protection contre les dépôts de garantie), projet de loi 228, M. Crozier	
Mr. Bruce Crozier	9245
Mr. Norm Miller	9246
Mr. Rosario Marchese	9247
Mr. Khalil Ramal	9248
Mr. Ted Arnott	9248
Mr. Michael Prue	9248
Mr. Jeff Leal	9249
Mr. Dave Levac	9250
Mr. Bruce Crozier	9251
Freedom of Information and Protection of Privacy Amendment Act (Institutions), 2009, Bill 227, Mrs. Savoline / Loi de 2009 modifiant la Loi sur l'accès à l'information et la protection de la vie privée (institutions), projet de loi 227, Mme Savoline	
The Acting Speaker (Mr. Jim Wilson)	9251
Human rights	
Motion agreed to	9251
Electricity Amendment Act (Protection Against Security Deposits), 2009, Bill 228, Mr. Crozier / Loi de 2009 modifiant la Loi sur l'électricité (protection contre les dépôts de garantie), projet de loi 228, M. Crozier	
Second reading agreed to	9251
Freedom of Information and Protection of Privacy Amendment Act (Institutions), 2009, Bill 227, Mrs. Savoline / Loi de 2009 modifiant la Loi sur l'accès à l'information et la protection de la vie privée (institutions), projet de loi 227, Mme Savoline	
Second reading negated	9252

CONTENTS / TABLE DES MATIÈRES

Thursday 10 December 2009 / Jeudi 10 décembre 2009

ORDERS OF THE DAY / ORDRE DU JOUR

Energy Consumer Protection Act, 2009, Bill 235, Mr. Phillips / Loi de 2009 sur la protection des consommateurs d'énergie, projet de loi 235, M. Phillips

Hon. Gerry Phillips	9203
Hon. Ted McMeekin	9207
Mr. John Yakabuski	9210
Mr. Paul Miller	9210
Mr. Phil McNeely	9210
Mr. Norm Miller	9211
Hon. Gerry Phillips	9211
Second reading debate deemed adjourned	9211

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Hon. Jim Watson	9212
Mrs. Joyce Savoline	9212
Hon. Deborah Matthews	9212
Hon. John Milloy	9212
Hon. Monique M. Smith	9212
The Speaker (Hon. Steve Peters)	9212

Legislative pages

The Speaker (Hon. Steve Peters)	9212
---------------------------------------	------

Members' attendance

The Speaker (Hon. Steve Peters)	9212
---------------------------------------	------

Visitors

Mr. Mario Sergio	9212
Mr. Jim Wilson	9212
Mr. Charles Sousa	9212
Mr. Dave Levac	9212

ORAL QUESTIONS / QUESTIONS ORALES

Government's record

Mrs. Christine Elliott	9212
Hon. Dwight Duncan	9212

Government's record

Ms. Lisa MacLeod	9213
Hon. Dwight Duncan	9213

Government's record

Ms. Andrea Horwath	9214
Hon. Dwight Duncan	9214

Government's record

Ms. Andrea Horwath	9215
Hon. Dwight Duncan	9215

Highway tolls

Mr. Toby Barrett	9216
Hon. Dwight Duncan	9216
Hon. James J. Bradley	9216

Sewage sludge

Mr. Peter Tabuns	9216
Hon. Deborah Matthews	9216

Consumer protection

Mr. Bill Mauro	9217
Hon. Gerry Phillips	9217

Skills training

Mrs. Elizabeth Witmer	9217
Hon. John Milloy	9217

Infrastructure program funding

Mr. Peter Tabuns	9218
Hon. Gerry Phillips	9218

Affordable housing

Mr. Jeff Leal	9218
Hon. Jim Watson	9218

Tourism

Mr. Robert W. Runciman	9219
Hon. Monique M. Smith	9219

Health care funding

Ms. Andrea Horwath	9219
Hon. Deborah Matthews	9220

Wildlife protection

Mrs. Carol Mitchell	9220
Hon. Donna H. Cansfield	9220

Driver examination centres

Mr. Jim Wilson	9221
Hon. Peter Fonseca	9221

Heritage conservation

Mr. Peter Tabuns	9221
Hon. M. Aileen Carroll	9221

Olympic torch relay

Mr. Jean-Marc Lalonde	9222
Hon. Monique M. Smith	9222

Continued on inside back cover

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X1
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Government
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**Assemblée législative
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des débats
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Tuesday 16 February 2010

Mardi 16 février 2010



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 16 February 2010

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 16 février 2010

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

Prayers.

BY-ELECTION IN LEEDS–GRENVILLE

The Speaker (Hon. Steve Peters): I beg to inform the House that, during the recess, a vacancy has occurred in the membership of the House for the electoral district of Leeds–Grenville by reason of the appointment of Robert W. Runciman to the Senate of Canada, effective the 29th day of January, 2010. Accordingly, my warrant has been issued to the Chief Electoral Officer for the issue of a writ for a by-election.

BY-ELECTION IN OTTAWA WEST– NEPEAN

The Speaker (Hon. Steve Peters): I beg to inform the house that, during the recess, a vacancy has occurred in the membership of the House by reason of the resignation of Jim Watson as the member for the electoral district of Ottawa West–Nepean, effective the first day of February, 2010. Accordingly, my warrant has been issued to the Chief Electoral Officer for the issue of a writ for a by-election.

BY-ELECTION IN TORONTO CENTRE

The Speaker (Hon. Steve Peters): I beg to inform the House that, during the recess, a vacancy occurred in the membership of the House by reason of the resignation of George Smitherman as the member for the electoral district of Toronto Centre, effective the third day of January, 2010. Accordingly, my warrant was issued to the Chief Electoral Officer for the issue of a writ for a by-election.

ORDERS OF THE DAY

ENERGY CONSUMER PROTECTION ACT, 2010

LOI DE 2010 SUR LA PROTECTION DES CONSOMMATEURS D'ÉNERGIE

Resuming the debate adjourned on December 10, 2009, on the motion for second reading of Bill 235, An

Act to enact the Energy Consumer Protection Act, 2009 and to amend other Acts / *Projet de loi 235, Loi édictant la Loi de 2009 sur la protection des consommateurs d'énergie et modifiant d'autres lois.*

The Speaker (Hon. Steve Peters): Further debate?

Mr. John Yakabuski: It's a pleasure to join this debate this morning.

If I could begin by just taking a moment in this House to convey my congratulations to my former colleague, now a member of the Senate of Canada, the Honourable Bob Runciman. I'm certainly more than ecstatic that the Prime Minister chose Bob Runciman to represent this country in the Senate of Canada at this time, and I wish him, his wife, Jeannette, and his family all the best on this exciting new phase in his life. I'm looking forward to his good work continuing in the Senate, as he did for 29 years in this House as well. Mr. Speaker, thank you very much for that opportunity.

This morning, we're returning to second reading debate on Bill 235, an act respecting energy retailers: An Act to enact the Energy Consumer Protection Act, 2009 and to amend other Acts.

It's kind of passing strange the way this bill got here. You see, well over a year ago, the member for Timiskaming–Cochrane, Mr. Ramsay, introduced a private member's bill that had great support in the industry, and particularly from the Ontario Energy Association. The president of the OEA at that time, Shane Pospisil, who, as you know, Madam Speaker—we've just switched from Mister to Madam; we make that transition so quietly sometimes. Madam Speaker, as you will recall, as the president of the OEA, Mr. Pospisil was very active in trying to effect change in the energy retailing sector and was looking for ways to ensure that the sector was viable but also brought about something that was absolutely necessary, and that was better consumer protection to that sector. Now, Madam Speaker, you will recall that Mr. Pospisil was an assistant deputy minister to the Minister of Energy during the term of this government, so he had a great deal of experience on both sides of the issues—not only as the president and CEO of the Ontario Energy Association, but previously as the assistant deputy minister to Mr. Duncan on his first foray as energy minister.

I know it has been kind of a revolving door—energy ministers in this province. So it was George Smitherman, the former member for Toronto Centre and former Minister of Energy, who talked about bringing in legislation dealing with the energy retailers' side of the business but never actually did it. But that was not uncommon for George. He did a lot of talking but a lot less doing some-

times, unless it was something that he felt would further his interest in trying to be mayor of Toronto, which—so many of the things that are happening in the energy sector today were actually brought in because George knew they would be skewed as being very positive in the city of Toronto and help him along with his quest to be mayor.

What I am surprised with, quite frankly, is that the Premier is actually so complicit in this, in allowing the energy sector still to be used as George's private domain to put forth his own agenda and promote his own cause. But it has been a kind of revolving door in the ministry. I know that right now, this week, Brad Duguid is the Minister of Energy. We're not sure what will come next week, because our good friend, and a fine gentleman he is, Gerry Phillips briefly became the energy minister for the second time to fill a void, to fill a gap, with the resignation of George Smitherman. Of course, today, Brad Duguid is the one taking orders from the Premier's office as to what to do in the energy sector to make sure that the political stuff is being taken care of; not necessarily the needs of the energy sector, or the needs of the industry, or the needs of the consumers, but that the political needs of, particularly, George Smitherman and other members of the Liberal Party are being well served by the orders from the Premier's office to the Minister of Energy.

So we are curious as to what might happen next week. Will we have a new energy minister? We don't know that. We can't predict that, just as we couldn't necessarily have predicted Mr. Bilodeau's gold medal on Sunday in mogul skiing. Congratulations—Canada's first gold medal ever achieved on Canadian soil at the Olympics. So, Pierre Bilodeau, thank you very much—

Mr. Ted Arnott: Alexandre Bilodeau.

Mr. John Yakabuski: Alexandre Bilodeau, congratulations. Thank you very much.

That's why Ted is here; he's here to correct me, and it's wonderful to have him nearby because he'll always make sure that I'm getting the facts straight.

But congratulations; it was a great day for him and a great day for Canada. Everyone who was watching there Sunday was exceedingly and justifiably proud.

But just as that isn't easy to predict, it's not easy to predict where this government is going in the energy sector. One thing is certain: Look at the politics of the issue, and that's exactly where they'll be heading. They'll be heading down that road of what they can do to politically advance their cause, not necessarily what is necessary in the energy sector.

So you have to ask yourself—change was asked for, change was needed, changes were expected much sooner than this government ever did anything about it. Several years ago, it was clear that there was a problem with energy retailers in this province. There was a problem with whether or not consumers were being properly informed, properly treated, and if there was a problem, if they were given the proper opportunity to exit themselves from these energy contracts.

Myself, I might be at somewhat of an advantage—or disadvantage, depending how you look at it. As the energy critic, I probably get—and I'm not going to pre-suppose what anybody else in this House has go through their office—as many or more requests from consumers about concerns with energy contracts that they have signed at their home and at the door. It has made it clear to me, as I know it is clear to every member of this House—I know that there's not a single member of this House, I would be pretty confident in saying, who hasn't had some contact with a consumer who has a horror story to tell about an energy retailer or the representative—in fairness, the representative—of an energy retailer come to their door. In many cases, they can absolutely prove that there was a misrepresentation on the part of that agent. That's one of the things that absolutely something had to be done about; there was a clear environment out there where people were going to the door and saying things that they had no right to say or that were, in fact, completely untrue.

One of the things that this legislation—I don't want my friends across the way to think that I'm negative, because I am not a Negative Nelly; you know that. No, I want you to understand that we support the premise behind bringing forth legislation to protect consumers, because that has to be our highest priority.

The challenge is sometimes just getting it right. Sometimes they have a good idea here, but then you ask yourself, "If it was such a good idea on December 10, 2009, was it not just as good an idea in January 2009 or December 2008?" I can't remember exactly when David Ramsay brought in the private member's bill. Because I remember having conversations with—

Mr. Dave Levac: It was a good idea before that.
0910

Mr. John Yakabuski: It was a good idea before that. The member from Brant is absolutely right, and I know he's one of the guys who has raised this issue himself. He's probably had issues in his own riding with people bringing that to his attention. But, yes, it was a good issue before that, and you have to ask yourself, why did the Minister of Energy at the time, George Smitherman, take so long to react and bring in a piece of legislation?

I remember having conversations with the minister—because I was the energy critic, and still am—and saying, "What's happening here?" "Well, Yak, we're coming with something. We're coming," and then he actually made the public announcement before we left, before we shut down the House in June, that he'd have new legislation coming in September. Well, September came and went; the leaves turned colour. October came and went; Halloween passed. November came and went; Remembrance Day ceremonies were over. The only thing that changed is that George stepped down as the Minister of Energy to run for mayor of Toronto and left it to Gerry Phillips to bring forth this piece of legislation.

Now, there is clearly a need for the protection, but there are definitely some issues with this legislation as well. That's what our job is, as opposition, and you're

going to hear this not only from us. I'm actually very pleased that the issue is being brought before the House early in this new—what do we call this? It's not a session. Whatever we call these things whenever we break.

Mr. Michael A. Brown: Maybe we should prorogue.

Mr. John Yakabuski: No, we're not prorogued. We're not prorogued yet, I say to the member from Algoma-Manitoulin. We're not prorogued yet; the Premier apparently wants to. But when we come back from a recess, a break.

I'm actually pleased that the government is moving quickly on this so that we can get this issue to committee and get this dealt with as quickly as possible, so that stakeholders in the industry also are aware of the commitment, not only of the government but of this entire legislative body, to bring forth legislation that will protect consumers from nefarious acts at the door. The sooner we get this dealt with in second reading debate, which we've resumed this morning, the sooner we get this to committee.

I've had the opportunity to meet in the intersession with some of those stakeholders and groups, who expressed some of their concerns. Some of their concerns strike me as legitimate. We have to ask ourselves sometimes, do we need a sledgehammer if a fly swatter will do? I'm not suggesting that this is a minor problem, not in the least, but some of the scope of this legislation goes beyond energy retailing and into—and I think this is something the members on the opposite side should be very worried about. I see the Minister of Training, Colleges and Universities listening carefully, because I know that these are things he would be concerned about. We're actually looking at ripping apart the mandate of the Ontario Energy Board in this piece of legislation. That is something that should concern us all.

You know, my friend from Peterborough, Mr. Leal, is more of a historian than I am, but I do believe it was the Davis government that brought in the Ontario Energy Board. My father would have been a member of that government. That was brought in to protect; its mandate was to protect the energy consumer in the province of Ontario. It took the politics out of the issue. It took the responsibility of running the Ministry of Energy and left it with the Minister of Energy and his or her ministry, but it took the issue of protecting the consumer—and sometimes that meant protecting the consumer from the Minister of Energy and the minister, and at that time Ontario Hydro, which had an essential monopoly—almost a monopoly—of power generation and distribution in the province of Ontario.

So what this piece of legislation does, in some ways—but if it does it in any way, it's something that we should be concerned about in all ways—is what it does to the Ontario Energy Board, because the establishment of that was done for very, very good reason: that the consumer had to be able to confidently know that there was a watchdog in place whose mandate was there to protect them. That has never gone away.

Now, what the Minister of Energy and the ministry have a responsibility to do is to ensure that the Ontario Energy Board actually has the arrows in its quiver, the tools in its arsenal, as they say, to effect that protection to consumers in the province of Ontario. It is not the job of the ministry to take that quiver and empty it so that the Ontario Energy Board becomes a mere shell of what it was intended to be, and those are concerns that have been raised to us in the Progressive Conservative caucus by stakeholders here in the province of Ontario about what this piece of legislation might be doing to the Ontario Energy Board.

If you want to ensure that there's protection—and we support the premise behind the legislation, absolutely. But I believe we can accomplish that without eviscerating the Ontario Energy Board itself. That's something that I think the government needs to take a real look at, and I'll get into more details about some of those concerns—more specifically, how that might impact the Ontario Energy Board and the business itself.

We have to remember that when you enact a piece of legislation, you cannot ensure everything. The only way to ensure that there would not be a problem in the sale of any product, be it electricity or gas at the door, be it a vacuum cleaner, be it a product that is sold over the Internet, be it a product that is sold in a retail establishment—the only way you could ever be absolutely, 100% certain that there would never be anything worrisome or of an illegal or a nefarious or unsavoury nature happening during one of those transactions is to make those transactions illegal.

I believe the member from Algoma-Manitoulin has actually brought forth a private member's bill that would make the sale of energy contracts at the door illegal, and I understand, to some degree, where he's coming from, but he also has to understand that if an energy contract should be illegal at the door, then perhaps selling anything at the door—some people might argue that selling anything at the door leaves so much grey area and has so little control in place as to effectively disinvolve any agency or the government from having any ability to protect the consumer at all.

But one thing that industry does have in place and is actively—and they have made their pitch. I know they met with David Ramsay over his private member's bill, and I know they met with George Smitherman when he was the Minister of Energy, and I know they met with myself as the critic, and I'm quite certain they would have met with the critic for the New Democratic Party as well.

0920

There were some undertakings offered by the industry that I think need to be at least looked at. They've raised some concerns with the bill about some of the effects that portions of this bill might have. If you're not going to go down the road of making the contracts illegal, which my friend from Algoma-Manitoulin would like to do—and I respect his views—then it seems kind of counterintuitive to create the environment that would actually push the

people out of business anyway without having had some input into the legislation that governs them.

There are a number of issues that they have raised, and I'm not in a position to make a determination, based on what we do know, that this would be the right way to go, the somewhat right way to go, the not-so-right way to go or the wrong way to go. But I think that it's part of the process, and it's why I'm saying that it's a good thing that the government is bringing this bill forward early, in this first week back after the winter break, so that we can get some of the things dealt with, so that we can have some of these stakeholders join us at committee, so that we can hear from them with the myriad of concerns that they've raised with us and I know they have raised with members of the government caucus as well.

One of the concerns they have talked about, for example, is the third party verification. The way they put it is, if you have a third party verification, as one stakeholder said to me, that's all fine and good, but that will be 80 jobs immediately cut out of their company; 80 jobs will be cut from their payroll if you have that third party verification.

The other thing that they raised, for example, was a 30-day time to verify. There are a number of issues that could come into play, whether it's a billing cycle change, but also, whether that is a proper length of time versus any other industry. Their view was that the best way to get that contract verified was to have a verbal verification, reaffirmation within 10 days or after 10 days of signing the contract.

They also offered something that the government should think about, too: an opportunity for the buyer, the purchaser of the contract, to get out of it without any penalty after the first bill. They can then make their determination whether or not it's something they want.

What brought these contracts about in the first place was a desire for certainty. Back in the early part of last decade, there was a move to deregulate the electricity industry. At that time, energy contracts—and quite frankly, the side that has caused the most angst is the electricity side of it; not the gas side of it so much, but the electricity side of it. Back in the early 2000s there was a move by the then government to deregulate electricity prices. What happened was—the timing probably couldn't have been worse—it spawned the sale and the introduction of these energy contracts, because what some people wanted was certainty. They wanted to know, because there were all kinds of speculation at that time as to what could happen to electricity prices as the market became deregulated. A lot of people wanted certainty in their pricing, and an energy contract was supposed to bring that.

Then, in November 2002, after a summer of really difficult situations in the marketplace where prices skyrocketed, the government of the day made the decision that they would re-regulate prices. That rendered all of these contracts null and void, but the business was still out there signing contracts.

What we've got today—and I see my friends there chortling a little bit but not overly loud, kind of under

their breath, because of the problems that beset the previous government. But what of today, when a person signs a contract because they want certainty and they get anything but? I'm not suggesting that that isn't one of the reasons, but the biggest reason that they have no certainty in the contract today is because of the absolute mess this government has made of the electricity sector.

On the IESO website, they call it a provincial benefit. Now, if you're one of these people who has purchased an electricity contract from an energy retailer, then that provincial benefit is anything but, because whatever the amount may be, whether it's seven cents, eight cents, 8.2 cents, whatever the rate may be that you purchased that electricity at for a five-year contract—it's usually a five-year contract—from the retailer, in Dalton McGuinty's electrical embarrassment you are now paying that provincial benefit on top of that contract price. This month, I believe the provincial benefit is 3.28 cents per kilowatt hour. So whatever you're paying that energy retailer, tack on another 3.28 cents because of the contracts that Dalton McGuinty has signed here in Ontario.

At one point in 2009—and I can't tell you exactly which month it was; I don't have that note with me—the provincial benefit, and take note of this, I say to the member from Algoma-Manitoulin, was 4.18 cents per kilowatt hour. That was at a time when the market price of electricity was below a cent per kilowatt hour, but what was Dalton McGuinty doing in Ontario? Here we were in Ontario in the summer of 2009, after he had killed some 200,000 manufacturing jobs in Ontario since 2005, with 146,000 net jobs lost last year. While the market price of electricity was at some times under a cent—sometimes it was below zero—we were actually spilling water at our hydraulic stations, letting it go by without spinning the turbines, because Dalton McGuinty had to allow whatever wind was out there into the system. So we were spilling water, renewable energy, past our dams because we couldn't use the power. If you understand how the electricity system works, you can't have more electricity being produced at any given time than is being used. It has to be an exact match. You can't just produce all the energy you want and hope that you've got a buyer for it—no. You can only produce what is being used. It has to be an exact match.

So what was happening? We were actually having water go by our dams, not turning the turbines. Water, which we can produce electricity out of at about two cents a kilowatt hour, was going by the turbines, letting all of the wind turbines go at 13.5 cents—or whatever contracts Dalton has signed secretly that we don't know about—and selling that power to the United States, because we were exporting it; we had too much. We were selling it to the United States at whatever the market price would be, which on some days was under a penny, some days it was two pennies, and some days it was actually a negative price.

0930

So you have to ask yourself, wouldn't you really want to try to fix this? Wouldn't you really want to be doing

something in the energy sector to try to make it actually representative of what our needs are and what our abilities to produce are?

What does he do? He then signs a contract with Samsung in Korea—\$437 million of free money to Samsung; just, “There you go. Good luck to your Olympic team.” Some \$437 million to create, purportedly, 1,440 jobs: That translates to \$303,000 per job.

I don’t have a crystal ball, but I’m pretty confident that if I went out there and canvassed the province of Ontario and went around to company XYZ and entrepreneur ABC and said, “Look, here’s the deal: We’re the government of Ontario”—assuming I was the government, and I know I’m not, before they remind me of that. “Listen, fellas, here’s the deal: We’ll give you \$303,000 for every job you produce. We’re here to create jobs. We want to create jobs in the province of Ontario. My name is Dalton McGuinty, and I am the job producer, the job creator.”

Mr. Gilles Bisson: I don’t think so. You got that wrong. He’s not the job producer; he’s the job killer.

Mr. John Yakabuski: Yes, but that’s what I’m claiming to be—this is a claim. I want to just bring my friend from Timmins–James Bay into the mix here. This is just play-acting at this point.

“So here I am, folks. I’m going to give you \$303,000 for every job you create.” Well, I guarantee you there would be no limit to the number of jobs people would be willing to create at \$303,000 a pop. They might be analyzing the cloud cover of the day and drawing pictures of it. It might be counting the number of stray cats that go by the bus stop at Yonge and Eglinton. I don’t know what it might be, but they’ll find a job for that person. At \$303,000 a pop, they’ll get themselves a job. They’ll create a job. That’s the job creation program that the Premier’s using the Ministry of Energy for, and he’s using your tax dollars—\$437 million to Samsung.

Just slide her out there, folks, because, you see, people aren’t paying attention sometimes. They only see the headlines in some of the newspapers that are quite friendly to the Liberal Party, as you know. I would never be one to criticize the media, but there are times when even the most objective observer would say that they seem to have taken the position that they need to be the cheerleader for the McGuinty government.

Mr. Jeff Leal: I think we got the endorsement of the Barry’s Bay Bugle—

Mr. John Yakabuski: There is no Barry’s Bay Bugle. It’s the Barry’s Bay This Week, I say to my friend from Peterborough. But I haven’t seen the endorsement for your program in there at any time recently.

The agenda of the government is to try to promote their so-called energy plan. The cost of their energy plan will come back to haunt not only them but the public here in the province of Ontario.

Getting back to that provincial benefit, it’s not only the person who signs an energy contract with an energy retailer that pays the price of that provincial benefit. This provincial benefit is basically, so we can put this into the

package, the cost of those sweetheart deals that Dwight Duncan and George Smitherman have signed over the years with their friends in what they see as the answer, with the renewable energy contracts that are priced significantly higher than the market. These are the contracts that are so much higher than the market price of the product they are producing that that is the additional cost; that’s part of what is calculated in the provincial benefit. So when you see the provincial benefit and it continues to rise, that is the cost of George Smitherman’s Green Energy Act. That’s part of it. It’s going to continue to rise the more contracts they sign with foreign-based nationals like Samsung that offer no guarantees to Ontario, only guarantees of profit in Korea. That’s quite a job creation program that he has embarked on. But he gets the headline he is looking for, and that makes him happy.

The provincial benefit not only affects people who sign a retail energy contract. All of these people who are major energy consumers—over 250,000 kilowatt hours a month—also are victims of the energy policy of this government. I say “victims,” and I emphasize that, Madam Speaker. You see, when the economy was a little better—and the longer Dalton McGuinty has his fingers on the pulse, the farther in the past that better economy is going to be. But when the economy was better and the demand for electricity was higher, and therefore the market price of that electricity was higher, the provincial benefit, although it was very minuscule in nature, did actually amount to a benefit to those large consumers. What it meant then was that when the market price of electricity might have been 6.5 cents per kilowatt hour at any given time—because they pay the market price based on the hourly price, and it can be low at 2 in the morning when the demand is low, but it can be very high at 5 o’clock in the afternoon or 6 o’clock in the evening. It fluctuates on a continuous basis. When the market price was high, that provincial benefit would actually act to mitigate the cost for that major power consumer. So when the times were good, energy prices were high, but, as I say, the provincial benefit was very minuscule. So energy prices were high and the businessman and the producer, the manufacturer, took it on the chin because they paid a high market price for energy.

Then, when business got poorer and they had to lay off people and they were struggling just to keep their heads above water, electricity demand dropped because they were producing fewer products. When the electricity demand dropped, the price went down too. But just when that manufacturer was hoping that, “Oh, great. The price of electricity has gone down. Here it is today at”—we’ll just say, for example, it’s three cents a kilowatt hour. “Oh, that’s great because, you know, two years ago it was 6.9 or 7.3,” whatever. “This is fantastic. It’s down to three cents a kilowatt hour.” But then when they get their bill in that infamous month, I think it was August or something this past year, tack on 4.18 cents. Tack on another 4.18 cents for every kilowatt hour used, because that was the provincial benefit. I don’t what dictionary the Ministry of Energy uses, but I’ll tell you, when

you're taking a provincial benefit of 4.18 cents per kilowatt hour, it's time to get the salve out, because that's painful. That's painful. Every manufacturer, every major consumer in this province, was experiencing that this past summer.

Did you hear a word from this government about trying to address that? Not a word. No, because that didn't fit into the plan with trying to convince the people out there that we had an answer. Just sign more of these expensive contracts; send George Smitherman out there to sign more of these expensive contracts; negotiate behind closed doors with Samsung of Korea for more of these expensive contracts—a \$437-million expensive contract—while our manufacturers were taking it on the chin, in the teeth. That's what was going on in the province of Ontario with this Ministry of Energy.

0940

We're talking about protecting consumers. That's the whole premise of this bill: protecting consumers. Good Lord, you have to ask yourself: What took so long for them to think of the consumer in this province? While the summer drifted on, dragged on, and job losses continued and escalated, where was the government? Planning a mayoralty race for the city of Toronto. Can you imagine that? That's what our Ministry of Energy was being used for, to catapult a former member, a former minister, into city hall.

Hon. Monique M. Smith: If you want to run for mayor of Barry's Bay, we'll help you. It's just an offer.

Mr. John Yakabuski: I would never use my position to advantage myself in that way, I say to the government House leader. She was offering to help me become mayor of Barry's Bay. I appreciate the offer but I'm going to decline because I feel that it would not be proper for me to use my office as a member of this Legislature to try to propel myself into another office. I say this to the government House leader, should I choose at some time to seek another office, I will declare that to this House well in advance, and if she's prepared to help me at that time, I will gracefully accept any help she's prepared to give me, but will not do so while working on behalf of the people of Renfrew–Nipissing–Pembroke in this Legislature.

Look, I've got great respect for George Smitherman, and we got along quite well as minister and critic, but I was really disappointed with the way he handled his exit from this place. I think it could have been done in a much greater and more fitting manner than to basically just try to pave the golden sidewalks down Bay Street to city hall from the Minister of Energy's tower. Where is the Ministry of Energy? I'm not even sure where it is. He never invited me over to his office for a meeting.

Hon. John Milloy: What kind of a critic are you?

Mr. John Yakabuski: Well, I don't have to know where the office is, I say to the Minister of Training, Colleges and Universities. It's not that important that I know where the office is, but I tell you, I know what the issues are, and this McGuinty government is failing to deal with the issues other than in the most political sense

possible. That is what is truly regrettable here in the province of Ontario. There has to be a better way.

Getting back to the OEB, an agency whose very conception was based on the protection of the energy consumer, it's now being told, "You're not important any more. The Minister of Energy will take care of things." We know how the Minister of Energy took care of things and we know how the Minister of Energy will take care of things. The Minister of Energy tends to look after the Minister of Energy.

Now I'm not implying that the new Minister of Energy has his sights set on a mayoralty campaign, because they can't all run for mayor of Toronto; I know that. Well, we have one going for Ottawa, but he didn't have anything to do with energy.

Of course, you really have to ask yourself the motives when people jump. I can understand when people go from provincial politics to federal politics. It is a natural ascension. It's the senior House in the country, and it's a natural progression. When somebody indicates they are going to run for federal Parliament, I give them all the credit in the world, but they don't know when that election is going to be. But when you say you're going to run for mayor, you know when that election's going to be. It's already scheduled. There's nothing that can change it. There's not a falling of a government or a non-confidence vote or the Governor General or the Lieutenant Governor dissolving the Parliament of the day. No, it's a predetermined date. So when you're sitting in this House and you say, "I'm going to quit to run for mayor," you've already quit, because everything you do from that day on is about your run for mayor, not to serve your constituents as MPP.

What should have happened in this House was that when Mr. Smitherman and Mr. Watson determined they were going to run for mayor, they shouldn't have just resigned their cabinet posts; they should have resigned their seats on the same day. Because once they declare they're running for mayor, they're running for an election that has been scheduled. That's what they're doing. Nobody is silly enough to believe that they're actually working as an MPP after that. Everything they do is to try to build their profile for the job they want, not the job they want out of. That's the thing that I think people shouldn't be using this Legislature for. I think that everyone who's thinking about these things in the future should question that action.

Anyway, we do have a lot to cover here and we are running painfully short of time. There are issues with this bill that we want to address on the part of the stakeholders as well.

I've had some opportunity to meet with a number of stakeholders and discuss what should or shouldn't be in this bill. One thing that we want to advise consumers—and I commend the government for bringing forth this legislation; we just have to get it right. This Legislature is doing the right thing by bringing in protective legislation. It can't do it outside the OEB; it has to work in concert with the OEB—

Mr. Jeff Leal: That's why we took our time to get it right.

Mr. John Yakabuski: To the member from Peterborough: I'll accept your version of that.

Listen, by getting it right, we'll actually produce something that is in the best interest of the consumer at the end of the day. The consumer has to be the number one priority, and we understand that.

I want consumers to remember one thing, and this is something that, in discussions I've had, in discussions that the OEA has had with the retailers and the stakeholders: If someone comes to your door and says they represent the utility, they're lying. They can't. They're representing a retailer. If they come to your door and they say, "We can save you money on your electricity bill," they can't say that. You cannot say that unless it is in fact the case. So if anybody comes to your door and makes statements like that, be wary. If you have any doubt in your mind whatsoever, do not sign that contract. In fact, if you have any doubt in your mind, don't sign any contract.

The consumer, who must be protected, must also be given the proper advice about protecting themselves. I understand, because my mother-in-law was one of the people who signed an electricity contract. Born in Lithuania, never worked off the farm or out of the house, never drove a car—she signed one of these contracts. She's 76 years old. She certainly didn't clearly understand what she was signing. Now, we were able to have that contract reversed. In fact, the company dealt with the agent, who not only misrepresented the product they were selling at the door but misrepresented the company they were supposed to be representing. That agent was dismissed. That's the kind of action that has to happen if a company is aware that they have a rogue agent out there.

0950

I want to make it clear that in my area, and in general, the problem exists more with the selling of electricity contracts than gas contracts because electricity is regulated. Even the industry itself has said it's questionable as to whether they can offer a five-year contract that offers much benefit to the consumer because there is a regulated price on the product that they're selling. It's not likely to suffer the vagaries of the marketplace like gas prices, which can fluctuate on an ongoing basis.

Anyway, that's something that the industry has to do as well, to ensure that when they have somebody working for them who doesn't play by the rules, who doesn't follow the law, who misrepresents people, they should be the first ones to get rid of them. They shouldn't have to be told to get rid of them. They should get rid of them.

That's one of the concerns they raised about the 30-day verification period. If we don't have a verification period for 30 days, how do we even identify which agents are the problem out there, which agents are causing the grief, which agents are doing things wrong? If we can have that reaffirmation of the contract on a

more orderly, quick basis, we can actually identify the rogues quicker.

I'm not a policy analyst nor, as I say, do I have a crystal ball, but I think some of these things are issues that we need to look at in committee—not as an opposition, not as a government, not as a third party, but as three partisan members of this Legislature that all have a common goal in this place. I know my friend from Timmins—James Bay and I have talked about this. We often differ on things, but we share our views about the importance of protecting the consumers. I know my friends on the government side want to do that as well. We've got to ensure, when we get this bill to committee, that everything we are doing is not based on what is going to be to your political advantage in the government.

That sometimes is a hard thing to square because when you're in government and you get into 2010, when the election is in 2011, sometimes the only thing you can think about is getting re-elected. And sometimes the only thing we can think about is getting elected. So we have to caution ourselves and ensure that the goal is not about the politics of the issue but about what is right for consumers, what is right for energy users, what is right for jobs, what is right for workers, what is right for widows, what is right for single mothers—

Mr. Toby Barrett: Orphans.

Mr. John Yakabuski: For orphans, all of those people. You've got to make sure that the most vulnerable are being protected when you bring in a piece of legislation. Sometimes, and it has happened in the past with all governments, you bring in a piece of legislation and the result of it is that you actually harm the people you are trying to protect.

You remember that bill—was it 210 or whatever it was—Sandra Pupatello brought in when she was the Minister of Comsoc, Community and Social Services? She brought in that adoption law. Remember, she brought in that bill where you were going to open up the adoption records and reveal who was adopted and who wasn't? You remember when she brought in that law and she said, "We've got everything right here. We don't need to listen to the opposition. We don't need to listen to the people coming to committee"? What happened? You remember what happened, folks over there? I see the member from Etobicoke nodding his head. Yes, we remember what happened: She had to tear the whole damned thing up and fix it because she didn't get it right. She didn't listen. So what we need to do today, members on all sides of this House, is listen to the people on all sides of the issue. We've got to make sure that we get it right—the number one priority, as always.

The former Minister of Consumer Services there—I see him sitting there—was a great advocate for consumers. I know that, and I know he continues to be. He knows that protection of the people is priority number one—priority, people, protection.

It's three Ps, not the three Ps that you're sometimes doing with public buildings and that you chastised us for.

Do you remember when you guys used to rip us because we were going to build the new Royal Ottawa Hospital in Ottawa, the mental health hospital, and we were going to use a public-private partnership? You guys said it was crazy, and then you do the same thing. You just put a different kind of bow around the hospital when you cut the ribbon. You describe it differently. We don't want that kind of stuff.

You see, that's the kind of stuff that the public is wary of and that they don't like. They don't like that kind of repackaging of the same stuff. What they want is an honest approach to consumer protection. We have the opportunity here with Bill 235 to do that.

It is an important time to remember what—

Mr. Bob Delaney: Where is Bob Runciman? We miss Bob.

Mr. John Yakabuski: My friend from Mississauga is wondering where Bob Runciman is. As I said when I opened up here today, Bob Runciman, one of the greatest people ever to serve in this chamber, is now serving in the upper chamber of Canada as the honourable senator from Ontario. I'm very proud of that man. I'm very proud that he's there and thank him for the good work that he's done.

I know I shouldn't be paying any attention to those interjections, but when the name Bob Runciman is uttered in this chamber, I take notice. I take notice because he's one of the finest people ever to represent anybody in this chamber, and I'm very proud to have called him a friend and a mentor. When his name is mentioned, I will take notice.

Now, back to protection. I don't know when the government House leader—and she sometimes doesn't tell us things in a timely fashion, but for the most part we're trying to get along. We want to find out as quickly as possible when this bill might go to committee, because I'm anxious, and I anticipate with great—

Mr. Jeff Leal: Zeal.

Mr. John Yakabuski: Zeal and fervour—is it zeal because it rhymes with Leal? Is that why you say it? But I anticipate with great Leal—

Mr. Jeff Leal: Zeal.

Mr. John Yakabuski: And Leal—this coming forward at committee to hear what the industry, what consumers, what all of the people have to say about this bill so that at the end of the day we get it right.

I believe there's an opportunity: We can get it right. I believe we will get it right because you know what? We have to get it right. I'm not being aggressive here; you know that's not me. But I do want to warn you folks over there: Don't try to turn this into a political game. Don't try to turn this into some kind of a political game. You've been using the energy ministry, you've been using the energy sector, you've been using the industry and playing political games with it thus far. It's time to stop. It's time to stop and revert to why we're here.

I know that every one of you over there remembers what motivated you to become a member of this Legislature. I know what motivated you to put your name

on that ballot, to run for a nomination if you had to run for one and to run for election. It was because you were committed to serving the constituents who were going to elect you. We cannot forget when we get here as a body, as a group, that owe that same commitment to the people of Ontario.

I'm looking forward to bringing this bill to committee, seeing every improvement that we can make to it happen and then proceeding with a piece of legislation that protects consumers in Ontario. I have many points that I can't get to at this point, but if we don't recess until 10:15, if they're prepared to let me go on, I'll go on. If not, we'll bring this up at a further time.

Don't forget the people.

1000

The Acting Speaker (Mrs. Julia Munro): Comments and questions?

Mr. Gilles Bisson: As my good friend Mr. Yakabuski, the member from Renfrew-Nipissing-Pembroke, was saying—we were just having this chat, in fact, as we walked in this morning—we often differ as far as outlooks on particular issues from party to party, but at the end of the day we're all here to serve. I agree with him on that. But I've got to say, listening to a debate about consumer protection for electricity consumers, to which the Liberals have offered a bill, and now we have the Conservatives debating on their lead, is a little bit much for me.

I take a look at what the effect is of what both the Tories started and the Liberals are now continuing when it comes to hydro policy and the negative effect it has had on our economy. In northern Ontario, we have lost in the tens of thousands of jobs, and one of the reasons is electricity prices. It happens to be that the industries we have in the north are huge consumers of electricity. In fact, paper mills, mines, smelters and refineries use an enormous amount of electricity by the very nature of what it is they have to do. A number of them have closed down, and one of the reasons they cite is the price of electricity. So to listen to my good friend the critic on energy for the Conservatives talk about consumer protection on electricity, I've got to say it's a little bit hard for me to listen to, because I look at the faces of those people who have lost their jobs across the north as a result of electricity prices—one of the big reasons—and I look at what's happening at Xstrata today. It's not the only reason, but it's one of the contributing factors. It is hard to take.

Listening to a debate by Liberals and Conservatives on energy policy is a little bit like watching two people having a pillow fight in the same bedroom. You both agree at the end of the day on the ultimate means; you're just fighting for who's going to hang onto the pillow and whack who. That's what the debate is all about. I say, if we want to have a real debate about energy prices, let's do something in order to attack the price of electricity for both consumers and industrial users in this province, because if we don't, there are going to be a lot more job losses in this province.

The Acting Speaker (Mrs. Julia Munro): Comments and questions?

Mr. Dave Levac: I appreciate the opportunity to offer the member from Renfrew–Nipissing–Pembroke a few comments. I'll be very brief in answering some of the questions and comments he made about the bill because there wasn't an awful lot about the bill that he talked about specifically; he was more interested in scoring some political points against the former member from Toronto Centre–Rosedale. I'm more interested in talking about the bill.

The bill will be going to committee. There's an answer for the member right off the bat: The bill will be going to committee after second reading. We've been doing that since we've been elected. We've been bringing bills to committee and we do have an honest response from the people out there. There will be people who will be against the bill who will be coming to committee and making their points. Quite frankly, we're continuing the trend of making sure that bills come to committee, which will be done. I'll say it three times now. That's twice, now the third time: The bill will be going to committee.

The second thing that the member might want to know is that there will be some consultations. Later on this year, there will be some consultations on the draft regulations to ensure we get that part right, which has never been done on an ongoing basis from the previous government—and I'm glad you mentioned the record of the previous government. The record of the previous government got us to where we are today, and I'm glad you recognized that.

We are going to be moving to committee. We are going to be listening carefully. There are seven key points in the bill that I want the member to know that I'm sure he had in his notes somewhere, which he wanted to talk about. The salesperson's practices at the door are going to be confined, refined to the point where your mother-in-law would never have to go through that again. We're talking about the protection of the people at the door. We're going to put the rules and regulations in place that will ensure that we don't have the messes that each and every one of us has had to deal with at the door. There are six other points that I'll get into later in detail as the parliamentary assistant—

The Acting Speaker (Mrs. Julia Munro): Thank you.

Mr. Toby Barrett: The member for Renfrew–Nipissing–Pembroke gave us a tremendous amount of information this morning and also information about the bill we're debating, Bill 235, energy retailers. There's no question the past seven years have been uncertain for people who consume electricity, which is just about everybody in the province of Ontario. As MPPs, we get complaints about the people who come to the doors of some of our constituents and the contracts that they get talked into signing. It is difficult for people to get out of these contracts, although there are possibilities of rectifying some of these problems. But it has been seven years of what I consider lack of leadership in really dealing with the electricity file.

What people are concerned about is the cost. They're concerned about the price. It wasn't that long ago when we were in government that we locked in the price at something like 4.7 cents a kilowatt hour. We know that coal and water can produce electricity at much less than that, and both these commodities are underutilized right now. I think manufacturing, given the job losses, is probably using maybe half the electricity that they were at one time. As far as pulp and paper, the high cost of electricity put much of them out of business—they're not using any right now in much of northern Ontario.

You look at the cost of nuclear and natural gas. Wind is being subsidized at something like 14 to 17 cents a kilowatt hour; solar, up to 80 cents a kilowatt hour. If you're a member of the Samsung corporation, you're looking at a subsidy far beyond that. And I see no talk of subsidies yet for biomass, wood pellets or prairie grass.

The Acting Speaker (Mrs. Julia Munro): Comments and questions?

Mr. Bill Mauro: It's good to be back here in Toronto in the Legislature and have an opportunity to go on the record and offer my support on Bill 235, the Energy Consumer Protection Act, 2009, introduced by our government today and just beginning the second reading process. We're very excited about it.

I would suggest to those who are interested in this particular issue that I can probably offer comments that would be consistent with most members in the Legislature: that this is one issue, certainly in my riding association—not my riding association, I apologize, my constituency office; sometimes in my riding association it comes up as an issue—that has seized the staff in my constituency office since I was first elected in October 2003.

This idea of energy retailing at the door is still a relatively new phenomenon in the province, although not quite so new anymore. But certainly in my riding association and in my constituency office, my staff have been seized on a regular basis with dealing with this issue from people who have been the subject of energy retailers on a door-to-door basis. High-pressure tactics are sometimes, if not always, used in the retailing of these contracts, sometimes preying—I would say it's not an overstatement—on people who find themselves in the position of being alone, who don't have the supports necessary to make what is probably the right decision, leaving some people feeling very vulnerable and finding themselves having entered into contracts that they wish they would have been able to get out of.

I would commend one of my staffers, Sharla Knapton, in my constituency office in Thunder Bay–Atikokan, who has done a tremendous job on this file, and who has, in fact, helped a lot of people who have found themselves tied into these contracts to get out of these contracts after the fact. Obviously, this government bill is going to make it less likely that more people will find themselves in this situation in the future, so that the work of staff in constituency offices will not necessarily be required as much in the future.

It's a very good bill, and we're very happy to bring it forward and support it.

The Acting Speaker (Mrs. Julia Munro): The member has two minutes in which to respond.

Mr. John Yakabuski: I thank the members for Timmins—James Bay, Brant, Haldimand—Norfolk and Thunder Bay—Atikokan for their comments. It seems that we all agree on one point: We've all dealt with issues surrounding energy retailers in our ridings on more than one occasion.

To the member from Brant: The industry itself has indicated quite clearly that they want a best-practice-at-the-door part of this legislation to be enacted, so that they have the best practices with which to guide them when they are conducting themselves at the door. So when we get to committee, we can make sure that the best parts of the bill are retained, and if there are areas that can be improved upon, that we do exactly that. So I am looking forward to that part of it.

The one thing that I'm pleased with from the responses is that we all agree—whether they think I may have been partisan in any part of my address. In an hour you may slip out of the mode for a moment, here or there, and fail to address the exact bill, just because an hour is a long time. But certainly, what we saw here today was that there is a commitment on the part of all of us to work together to bring about better consumer protection for the energy consumer in Ontario.

With respect to my friend from Timmins—James Bay, pricing of the product is a big issue which he raised as well, which we think that the government can't forget as well.

This bill, as it is, is a good start. We have to work on it, we have to make it better and we have to make sure that all sides are being heard when we bring the final piece of legislation. Thank you.

Second reading debate deemed adjourned.

The Acting Speaker (Mrs. Julia Munro): Thank you. It being close to 10:15, this House stands recessed until 10:30.

The House recessed from 1010 to 1030.

INTRODUCTION OF MEMBER FOR TORONTO CENTRE

The Speaker (Hon. Steve Peters): I beg to inform the House that the Clerk has received from the Chief Electoral Officer and laid upon the table a certification of the by-election in the electoral district of Toronto Centre.

The Clerk of the Assembly (Ms. Deborah Deller): I've received a letter addressed as follows:

"Mrs. Deborah Deller

"Clerk of the Legislative Assembly

"Room 104

"Legislative Building

"Queen's Park

"Toronto, Ontario

"M7A 1A2

"Dear Mrs. Deller:

"A writ of election dated the 6th day of January, 2010, was issued by the Honourable Lieutenant Governor to the province of Ontario, and was addressed to Eric Morse, returning officer for the electoral district of Toronto Centre, for the election of a member to represent the said electoral district of Toronto Centre in the Legislative Assembly of this province in the room of George Smitherman who, since his election as representative of the said electoral district of Toronto Centre, has resigned his seat. This is to certify that, a poll having been granted and held in Toronto Centre on the 4th day of February, 2010, Glen Murray has been returned as duly elected as appears by the return of the said writ of election dated the 12 day of February, 2010, which is now lodged in record in my office.

"Yours sincerely,

"Greg Essensa

"Chief Electoral Officer

"Toronto, February 12, 2010."

Mr. Murray was escorted into the House by Mr. McGuinty and Ms. Smith.

Hon. Dalton McGuinty: Speaker, I have the honour to present to you and to the House Glen Murray, member-elect for the electoral district of Toronto Centre, who has taken the oath and signed the roll and now claims the right to take his seat.

The Speaker (Hon. Steve Peters): Let the honourable member take his seat.

INTRODUCTION OF VISITORS

Mr. Norm Miller: I am pleased to welcome district of Muskoka Councillor Fran Coleman, who's in the east visitors' gallery. She's bringing 2,300 petitions to do with health care today.

Mr. Peter Shurman: Good morning, Speaker and everybody. I'd like to introduce my friend John Moore of Newstalk 1010, sitting in the west members' gallery.

Mr. Michael Prue: I'm pleased to introduce Michael Musing, the father of Michael Musing, father of page Max, who is here to observe the proceedings today and to see how well his son does as a page.

Hon. Brad Duguid: I'm delighted to introduce Josifina Orido and Hani Louis, mother and father of Julia Louis, who is a page here today, and her sister Joanne Louis. I saw the family yesterday skating, met them for the first time, and it's great to have them here in the Legislature.

ORAL QUESTIONS

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Tim Hudak: Speaker, before I ask my opening question to the Premier, I'm delighted to take a moment

to congratulate the organizers of the Vancouver 2010 Olympic Games. The opening ceremonies were a spectacular success. We want to thank them for getting the games off to a great start and to bronze medal winner Kristina Groves of Ottawa, along with athletes from across Ontario and Canada. The Ontario PC caucus will be cheering for them as they own the podium.

To the Premier: Can you say with confidence that your unaccountable, unelected local health integration networks, or LHINs, are not handing out sweetheart deals to Liberal-friendly consultants?

Hon. Dalton McGuinty: It's good to be back, Speaker. I want to take the opportunity to welcome all members back. There is much work before us. We've accomplished much together, but there's still obviously so much more to do.

With respect to our local health integration networks, we are proud of the people who serve on those bodies throughout the province of Ontario. They are an effort on the part of this government to ensure that more and more of the decision-making with respect to the investment of health care dollars in communities is made by people living in the communities themselves.

I thank the people who do that work on our behalf and on behalf of the member opposite, and I look forward to more questions.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Premier, at the beginning of your summer of scandal you rushed to announce a list of government ministries and agencies subject to new rules prohibiting sole-source contracting. But not-for-profits such as your LHINs, these regional health bureaucracies, were not included in your June 17 announcement.

Premier, when you made that announcement, why were LHINs excluded from the ban on sole-source contracts?

Hon. Dalton McGuinty: Let me just remind all the members of what we did at the time. My honourable colleague is correct: We found that the rules that we had inherited from the previous government were inadequate, so we made them stronger. We've said under our new rules that there can be no more sole-sourcing of consulting contracts; we will not pay consultants for any hospitality, incidental and food expenses; we're requiring that expenses in fact be posted online for our senior executives of our 22 largest agencies; and what's more, those same 22 largest agencies' employees must now have their expenses approved by the Integrity Commissioner. We think that's a huge step forward in an era of heightened transparency and accountability.

The Speaker (Hon. Steve Peters): Final supplementary?

Mr. Tim Hudak: It's only the second question of the session and the Premier is already dodging giving direct answers, and we all know why: After Dalton McGuinty put out his new rules banning sole-source deals, he was caught sole-sourcing sweetheart deals to the Windsor Energy Centre, the Casino Niagara lease and your mother of all untendered contracts, your sweetheart Samsung deal.

The Toronto Central LHIN appears to be following your lead. How do we know? Well, we called them and asked. Freedom-of-information records that were released to the Ontario PC caucus show that the Toronto Central LHIN sole-sourced an \$80,000 contract to your good friends the Courtyard Group.

Premier, why is it you're always diverting funds meant for Ontario patients to your Liberal friends?

Hon. Dalton McGuinty: Again, my honourable colleague is making statements that have no foundation in fact.

Just so we're clear, we're now requiring that our local health integration networks provide a written declaration that they are in compliance with government directives, including those relating to procurement. I can also assure Ontarians there will be more random audits to ensure that this is in fact the case—that is, that LHINs are complying with the new rules we have in place.

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Tim Hudak: Back to the Premier: We're not the only ones very curious about the problems that the regional health bureaucracies, your LHINs, created. The Ombudsman will soon be releasing his report on your regional health bureaucracies.

The Toronto Central LHIN, which made the sweetheart deal with the Courtyard Group, is the same bureaucracy the Premier gave the \$15 million to, which helped the former mayor of Winnipeg's by-election campaign this past month. Premier, you know as well as we do that Courtyard is run by John Ronson, who, the eHealth boondoggle taught us, is very well connected to the McGuinty Liberals.

Premier, why was the money for patient care diverted to the man who runs election campaigns for the Liberals instead of to Ontario patients?

Hon. Dalton McGuinty: It has been said that hope springs eternal, but maybe from time to time it runs dry. It had been my hope that this year, my honourable colleague would begin to understand the nature of the real challenges facing the people of Ontario, particularly insofar as they relate to jobs, the economy, the desire for better health care and the like. But so be it; he pursues his own chosen path.

Again, I continue to have confidence in our local health integration networks. I have confidence in the new rules that we have put in place. We have confidence in my Minister of Health, who has recently sent a directive to our local health integration networks demanding that they abide by those same new, strong rules that were not in place at the time that my honourable colleague was in government.

1040

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: The big winner, Premier, in the sweetheart deal the Toronto Central LHIN handed to Courtyard was none other than Karli Farrow. Karli Far-

row, of course, Premier, is your former health policy adviser who billed the health care system over \$46,000 for just two months of consulting. Farrow was paid thousands of dollars for meetings with other Courtyard consultants including Michael Guerriere, another infamous character from your eHealth boondoggle. Farrow even charged Ontario patients for a lunch she had with Tess Romain, who worked in the health minister's office.

Are contracts LHINs hand to former Premier's office staff and Liberal-friendly firms part of a second career program you have for disgraced eHealth consultants?

Hon. Dalton McGuinty: My honourable colleague is well aware that there are rules in place governing what former members of staff can and cannot do, and those have to be cleared by the Integrity Commissioner. I have every confidence that they, in fact, have.

I believe my colleague is talking about an \$80,000 contract—I think that's the neighbourhood—which was to help implement a diabetes strategy for the Toronto LHIN. That's a program that helps people with diabetes manage the disease. We think that's a very important and worthwhile investment to be made on behalf of Ontario taxpayers, and I would hope that my friend would support that kind of effort being made by the LHIN.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Here's the problem: There is one set of rules for Liberal-friendly consultants and one set of rules for everybody else. It goes further. Matt Anderson, the CEO of the Toronto Central LHIN, is the one who inked the sweetheart deal with Michael Guerriere. Anderson was your appointee to the eHealth board and he sits on it today. As the eHealth boondoggle revealed, Anderson is related to Guerriere through marriage.

At a time, Premier, when you've shut down emergency rooms in communities like Fort Erie and Port Colborne, at a time when we saw fatalities over the Christmas holidays that may have been related to the closed ERs, Liberal-friendly consultants are getting rich and Ontario families are getting nothing in return.

Premier, I ask you, is there anywhere in the health care system where former staffers and Liberal-friendly consultants are not cashing in at Ontario patients' expense?

Hon. Dalton McGuinty: I just want to quote from a letter sent by the Minister of Health, Deb Matthews, to our LHIN board chair. The letter is dated February 4, and it reads as follows, in part:

"Public confidence and trust is crucial to continuing this progress. As health care leaders, we need to spend tax dollars wisely and we need to be accountable for our decisions. I can't overemphasize how important it is to ensure that every single dime we spend within our health care system is spent in a way that would be acceptable to a thoughtful taxpayer.

"Last summer and fall our government brought in tough new rules to increase accountability and transparency. The rules must be taken seriously and I expect them to be followed."

I could not have said it better myself. We expect LHINs and all of our government agencies to abide by the tough new rules that we've put in place.

GOVERNMENT'S RECORD

Ms. Andrea Horwath: My question is to the Premier. Every day in Ontario, millions of people get up and make our province work. These women and men will lead the way for Ontario's recovery but only if their government is on their side lending a helping hand. Instead, they see their government raising their taxes, closing their local emergency rooms and ignoring their voices.

In this session, will the Premier start putting the well-being of Ontarians at the heart of his plans, or will he continue to focus on the priorities of his well-connected friends and funders?

Interjection.

The Speaker (Hon. Steve Peters): I ask you to withdraw it.

Interjection.

The Speaker (Hon. Steve Peters): Stand right up.

Hon. Rick Bartolucci: Withdrawn.

The Speaker (Hon. Steve Peters): Thank you. Premier?

Hon. Dalton McGuinty: It's good to be back.

I want to welcome the question from my colleague. We have never taken our eye off the ball, which represents the interests of our families. Right now, today, at this point in our history, they're very concerned about jobs and the economy. That's why, since this House recessed, for example, we have rolled out the first part of our plan to bring full-day learning to our four- and five-year-olds, knowing that a strong start in school makes for a strong finish that ends with jobs. I know that my honourable colleague supports that program.

I know that my honourable colleague also supports our new partnership with Samsung, the biggest deal of its kind anywhere in the world: 2,500 megawatts of clean energy, four new manufacturing plants, 16,000 jobs.

Finally, I know that my colleague supports the tax cut received by 93% of Ontarians, effective January 1 of this year.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Ontario families are facing tough times. Since this session in the Legislature started, 200,000 people have lost their jobs. Thousands more wonder whether they're going to have enough money to retire on. Hospitals are closing clinics and emergency rooms, and fees for everything from transit to health services are rising.

Can the Premier explain why, when so many people are struggling, his biggest priority is a \$4.5-billion tax cut for some of Ontario's richest corporations?

Hon. Dalton McGuinty: There are two independent reports I want to recommend to my honourable colleague. One is from Jack Mintz. He works out of Calgary. He tells us that our package of tax reforms will

lead to nearly 600,000 more jobs over the course of the next 10 years.

Interjections.

Hon. Dalton McGuinty: Now, my colleagues don't appreciate Dr. Mintz, but I would then instead refer them to a report prepared by the Canadian Centre for Policy Alternatives, and I think the title says it all. It says, Not a Tax Grab After All: A Second Look at Ontario's HST. I would strongly recommend both of those reports to my honourable colleagues. Our tax reforms, in fact, cost the treasury billions of dollars over the first two years.

This is about investing in our families; it's about investing in jobs; it is about investing in a bright future.

The Speaker (Hon. Steve Peters): Final supplementary?

Ms. Andrea Horwath: Last week, the Royal Bank announced their CEO would be taking \$10 million home after the bank pulled in \$3.9 billion in profits. They're getting a tax cut from this Premier. Meanwhile, a local paper tells the story of Barb Pickering. You want to know about Barb Pickering? She spent Thursday afternoon on the phone, calling pain clinics around the GTA in search of one that would take her on as a patient. Why? Because her local hospital closed the pain clinic that she was using.

Can the Premier explain why the Royal Bank needs a tax cut but Barb Pickering's hospital can't keep the services going that she relies on every day?

1050

Hon. Dalton McGuinty: I know my colleague is interested in the quality of health care that we provide to all our families, and I want to remind her just a little bit about our record. During the course of the past six years, as we've enjoyed the tremendous honour of serving Ontarians in government, we have made dramatic new investments in health care: 42% more by way of increase in funding for our hospitals; thousands more nurses; more doctors—800,000 more Ontarians now have access to a family doctor. We've reduced wait times. We have nurse practitioner-led clinics, the first of their kind in North America. That's the kind of investment, that's the kind of priority that we attach to health care for our families.

So my colleague may say that there are outstanding issues with respect to health care, and she is right. There will always be more work to be done there, but she cannot claim legitimately that we have not made health care a priority for Ontario families.

GOVERNMENT'S RECORD

Ms. Andrea Horwath: My next question is to the Premier as well. You know the Premier isn't just concerned about his well-connected friends; it seems the prospects of his party can also inspire swift action. After months of telling local hospitals to close clinics and emergency rooms, the government announced plans to spend \$15 million on renovations to the Toronto Grace Hospital in Toronto Centre, where a by-election was

taking place. What's the difference between Toronto Grace and the hospitals across Ontario that are currently left scrambling for funds?

Hon. Dalton McGuinty: I really do appreciate the opportunity to speak to this particular issue. The Salvation Army has a stellar record in the history of this province. They made it clear to us that they could no longer continue the responsibilities that they've taken on at this particular hospital site. They made it clear to us as well that we could help. If my friend is now telling me that she is against that help, that we should have stood by and allowed that hospital and those services at that site to shut down and to close, then she should say that. We felt the appropriate thing to do, the responsible thing to do, was to provide that support for that hospital, just as we've increased funding by 42% for hospitals Ontario-wide during the course of the past six years.

The Speaker (Hon. Steve Peters): Supplementary.

Ms. Andrea Horwath: Well, Nortel pensioners have been waiting for over a year for help from the government. The government threw them a meagre lifeline, but only when a by-election was called in the riding where many of them lived. Can the Premier maybe explain that coincidence to us?

Hon. Dalton McGuinty: Again, we're very proud of the partnership that we have with all of our hospitals. We're proud of the continuing support that we provide at our hospitals, as I say, some 42% over the course of the past six years. Contrast that with a cost-of-living increase, I think in the range of 11%, and you can see that we are truly putting our money—it's not our money—taxpayers' money where their priorities are, which is their health care system. We're proud of the fact that we are able to find some assistance for this particular Salvation Army hospital. It's a hospital which is delivering services that are so important to the members of the community that it serves.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The Premier travels the province telling hard-working people that they need to expect less. They're told to pay a new sales tax, watch their local hospitals close ERs and clinics, and watch jobs disappear. The government can't help them. Then they see the money flow, but only when it helps the McGuinty Liberals and their friends. Is it any surprise to the Premier that people see his government as arrogant and out of touch?

Hon. Dalton McGuinty: Just so we're clear, and I think it's helpful to understand what we've done with respect to hospital funding: We've increased funding by \$4.6 billion since 2003. That's a 42% increase. Every hospital in the province has seen its budget increase every year. I contrast that to the days that were there under the two previous governments.

These are challenging times. There's no doubt about that whatsoever. I know that my honourable colleague understands that. I'm sure that every member in this Legislature understands that. We're going to have to

make difficult choices, but they will be responsible choices. They'll be informed by the values and priorities of Ontario families. Ontario families insist that we be there for them when it comes to their health care and their education, and we most certainly will.

GOVERNMENT ADVERTISING

Ms. Lisa MacLeod: My question is also for the Premier. When in opposition, Dalton McGuinty said he was against spending public money on partisan advertising, but records released as a result of freedom-of-information requests show that you paid \$700,000 to Narrative Advocacy Media, a firm closely connected to the Liberal-friendly ad firm Bensimon Byrne. The auditor rejected Narrative Advocacy's work, saying the primary objective of their ads was to promote the partisan interests of the McGuinty Liberals.

So my question is for the Premier. Will the McGuinty Liberals pay back the \$700,000 of public money that they spent for their own version of the Liberal Party Adscam?

Hon. Dalton McGuinty: To the Minister of Revenue.

Hon. John Wilkinson: Happy Family Day to all. Glad to see us all back.

I've had an opportunity as Minister of Revenue to crisscross this province, and what people are asking me is, where's a good place they can go to find the information that they need to know about how tax reform—the largest tax reform in 40 years—affects them, their family and their business?

As a result, our ministry has created a website at ontario.ca/taxreform, and just last week we started an advertising campaign telling people they should take a closer look. That's why we are running those ads, because people are telling me that they need to find that information. That's why it's important that we will always share with the good people of Ontario where that accurate information is.

It's important for us to always make sure that any government advertising is approved by the Auditor General. We're proud to have brought in that bill, and we'll continue—

The Speaker (Hon. Steve Peters): Supplementary.

Ms. Lisa MacLeod: I can tell you what Ontario families are telling me. It's bad enough that you use tax dollars to promote a tax, but you use public money to also promote your own Ontario Liberal Party—

Interjections.

The Speaker (Hon. Steve Peters): Start the clock.

Please continue.

Ms. Lisa MacLeod: Thanks, Mr. Speaker.

They used tax dollars to promote a tax, but what is worse, they use public money to promote the Ontario Liberal Party. They handed over \$700,000 to a Liberal-friendly ad firm, Narrative Advocacy, whose Amanda Alvaro has close ties to Gerard Kennedy and is connected to their good friends at Bensimon Byrne. The fact that the advertisements did not run is not the point. It doesn't change the fact that they wasted taxpayer money. Why

do they keep wasting taxpayer dollars that are earned by hard-working Ontario families so that they can give their friends in the Ontario Liberal Party our tax dollars?

Hon. John Wilkinson: As I was mentioning, our tax reform is all about creating new jobs, and I thought the questions today would be about the need for our economy to generate more jobs. By merging our sales taxes and taking that additional revenue and permanently cutting taxes for both people and business, we're creating a new competitive environment that will allow for additional investment—some \$47 billion, according to a leading economist, that will lead to 591,000 net new jobs.

But what I find interesting is that the member is raising this issue when today, when I had a chance to look at your website, I see that it is inaccurate. That is exactly why people need to have a place that they can go to where the information is accurate. They can take a closer look and examine how tax reform impacts them, their family and their business as we prepare for a year of tax reform, which started on January 1 with a tax cut to 93% of Ontario—

The Speaker (Hon. Steve Peters): Thank you. New question.

LABOUR DISPUTE

M^{me} France Gélinas: J'aimerais commencer par souhaiter à tout le monde une bonne Semaine de la bonté. Happy Kindness Week, everybody.

My question is to the Premier. As you know, the economy in northern Ontario has been devastated by the policies of this government. Right across the north, people are witnessing the destruction of our way of life. In Sudbury and Nickel Belt, more than 3,000 workers of Vale Inco have been on strike since mid-July. That's seven months, with no end in sight.

My question is this: Sudbury is being brought to its knees. Why is this government refusing to take any action whatsoever to deal with this crippling labour dispute?

Hon. Dalton McGuinty: The Minister of Labour.

1100

Hon. Peter Fonseca: I want to thank the member for the question. I do understand how difficult and frustrating this time is for the people of Sudbury.

The ministry has been meeting with officials from both the company and the union, working with those officials and assisting the parties to come to the table to resolve their differences.

I want to thank my colleague Rick Bartolucci, who has been a tremendous advocate for the community and has been assisting—

Interjections.

Hon. Peter Fonseca: Minister Bartolucci has been doing the right thing. He has been working with the parties, encouraging them to come to the table to resolve those differences that they have.

Our ministry's sole focus is on bringing the parties together to find common ground, to resolve the differences that they have.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: To all of this work, I would say: How is it working so far? It has been seven months.

There's so much that this government could do but is not doing. I've got constituents who are losing their homes. I see families falling apart, breaking up. Food bank use is way up in my riding.

Vale Inco is one of the cornerstones of the Sudbury economy. The longer this strike drags on, the more the people of Sudbury suffer. When will the Premier and his government take notice of the situation in Sudbury and finally do something to get the talks moving again and get the people back to work?

Hon. Peter Fonseca: Our mediation team at the Ministry of Labour is working 24/7 to get the parties to the table, to assist them in this bargaining process. I do understand how frustrating and difficult it is.

Minister Bartolucci has shared with me the stories of the hard-working miners, the work that they do and the impact that they have on the community. What we urge the parties to do is to think about their positions and the position of the other party, resolve those differences, find that common ground and understand that the best way to move forward is to have that open dialogue at the table. We will do everything we can to assist the parties to resolve those differences.

SOCIAL ASSISTANCE

Mr. Glen R. Murray: My question is for the Minister of Community and Social Services. Minister, people in Ontario are facing growing challenges as a result of the worldwide economic recession. This government has made great strides in improving the social assistance system, everything from raising rates to making necessary rule changes.

However, we cannot stop there. As part of the poverty reduction strategy, it was announced that the social assistance system will be reviewed. I have not heard any updates recently but I do understand that there has been work done regarding a review. Minister, could you inform the Legislature and Ontarians as to the progress of the social assistance review?

Hon. Madeleine Meilleur: First of all, let me congratulate the member from Toronto Centre for his election. I know that he was always a strong advocate for the most vulnerable.

We are looking for ways to improve our programs, to more effectively support clients in their transition back to employment. As part of the poverty reduction strategy, I have appointed, as Social Assistance Review Advisory Council chair, Gail Nyberg from the Daily Bread Food Bank.

The council has been hard at work, providing me with recommendations on possible short-term changes to social assistance rules. My ministry is currently reviewing these changes.

This review demonstrates our commitment to working with our municipal partners to simplify and modernize

the social assistance rules and to better integrate employment services and harmonize housing supports.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Glen R. Murray: Minister, short-term changes to the social assistance system are a good start but they can only be the beginning. What Ontarians need are not just short-term changes but changes that will help people overcome barriers in the long term and give them the tools necessary in order to get ahead in life.

Minister, we have an opportunity with the social assistance review to help provide these tools. Is the social assistance review council examining the overall social assistance system, and if so, what are they looking at addressing?

Hon. Madeleine Meilleur: Yes, the council will submit recommendations by April 2010 on the scope and terms of reference that will guide the development of the larger social assistance review. Their recommendations will include a long-term vision for social assistance in Ontario as well as the vision's core objectives that will form the basis of their review. I will continue to work with the council, with Ontarians and with my colleagues, especially the Minister of Children and Youth Services, who has spearheaded the poverty reduction strategy, as we move forward with this review on social assistance.

We all agree that the moral imperative for reducing poverty is clear. Children should have the opportunity to succeed in life and people facing challenges should be given the tools that they need to help them reach their full potential. I'm very confident that this advisory council will give me very good recommendations—

The Speaker (Hon. Steve Peters): Thank you. New question.

GOVERNMENT'S RECORD

Mr. John Yakabuski: My question is for the Premier. Since we last sat in this House, Dalton McGuinty made a multi-billion dollar sweetheart deal with a foreign company. He paid hundreds of thousands of dollars to avoid answering embarrassing questions by settling lawsuits launched by Kelly McDougald and the family in Caledonia. He gave away 15 million of our health care dollars to help elect the former mayor of Winnipeg to Toronto Centre. He is handing out millions more to help his candidate in Ottawa West—Nepean.

I would like to ask the Premier, how much are the votes in Leeds—Grenville worth to you?

The Speaker (Hon. Steve Peters): I'd just ask the honourable member to withdraw that comment, please, of impugning motive.

Mr. John Yakabuski: Withdrawn.

The Speaker (Hon. Steve Peters): Premier?

Hon. Dalton McGuinty: To the Minister of Energy and Infrastructure.

Hon. Brad Duguid: That was one of those questions that was kind of all over the place, but we seized on the initial beginning of it when the member brought up the \$7-billion investment in Ontario's economy as a result of

the Samsung initiative. That \$7 billion brings with it 16,000 new jobs to this province over the course of six years. How out of touch can the opposition be if they can, at this time in our history, not be in support of the creation of 16,000 jobs in this province?

Interjections.

The Speaker (Hon. Steve Peters): Please continue.

Hon. Brad Duguid: Thank you, Mr. Speaker.

Along with those 16,000 jobs will be the creation of four green manufacturing plants. Wind towers, solar inverters, solar module assembly and wind blades are all going to be made in this province. We're taking steps to build a strong, green economy—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. John Yakabuski: I think Korea was on the podium before these winter games started.

You spend like you don't understand that you have a record-breaking \$25-billion deficit. Your latest insult to Ontario families is wasting their money to sell a tax that the McGuinty Liberal caucus hasn't been able or willing to sell. You've given up on your caucus, enlisting the services of an ad company tied to the infamous Bensimon Byrne that you paid over \$13 million to, including for a redesign of the Ontario trillium to look like a logo for the Ontario Liberal Party.

You used to say, Premier, "You don't need to spin people and tell them you're doing good work for them. Let the policy speak for itself." When will you stop spending Ontario families' money like it's your own partisan slush fund?

Hon. Brad Duguid: I think I'd better refer this to the Minister of Revenue.

Hon. John Wilkinson: What part of 591,000 net new jobs do you not get over there?

I've had an opportunity, as have all members, to talk to our constituents. What our constituents are telling us is that they're looking for jobs. They are happy to hear that there is an investment, the largest green energy investment in history, being made right here in Ontario: 16,000 jobs. They understand that the world has changed and that we need to reform our tax system. Because of those reforms, because we are taking the step of going to one sales tax instead of two in this province, taking that additional revenue and permanently cutting taxes for people and for business, we are making Ontario more competitive. We believe that the business community will in fact make the investments already shown by Samsung that will lead to more jobs. On this side of the House we are for those jobs.

1110

MINING INDUSTRY

Mr. Gilles Bisson: My question is to the Premier. In December 2009, Xstrata announced the closure of its copper smelting refinery in Timmins. Premier, can you tell us what you have personally done since last December's announcement to avert this closure?

Hon. Dalton McGuinty: I know that Minister Gravelle has been very actively involved on this particular matter. We have been doing everything that we can to lend shape to very welcoming economic macro-conditions, hence the reason for our corporate tax cuts, to make us more attractive, hence the reason for the elimination of capital taxes in Ontario this year. The Mining Act lends some certainty and creates some new opportunities as well. Those are the kinds of things that we continue to do, broadly speaking, but I'm sure that my honourable colleague would like to hear from my minister, and I'll be referencing this question to him on the supplementary.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: Premier, changes to the Mining Act and tax cuts haven't worked. They're shutting the plant down. Over 3,000 people will be losing their jobs directly/indirectly because of this closure. People are wondering where you're at. They know where the minister is at. He has come and met with us a couple of times, but we need the support of the Premier. The people of Timmins and area want to know very clearly: What are you going to do as Premier in order to avert this closure?

Hon. Dalton McGuinty: To the Minister of Northern Development and Mines.

Hon. Michael Gravelle: Indeed it was devastating news when the announcement was made in December. It was on that basis that I went at the behest of the Premier to Timmins to meet with Mayor Laughren and the economic development corporation, to reassert our very strong commitment to the Timmins area. There is no doubt our commitment is there in terms of the support we have for the northern Ontario heritage fund. There has been over \$15 million that has gone to the northern Ontario heritage fund since 2005—\$45 million in federal-provincial investments.

I realize that this is an extraordinary challenge. I continue to work very, very hard with the community. We're going to be up there again very soon, in fact. The challenge indeed is there, but we have the opportunities there. There are interesting and very positive developments with Lake Shore Gold and Detour Gold. We heard about a wonderful announcement in terms of Northgate Minerals, in terms of Kirkland Lake. There are some positive things happening. We have to keep working hard with the community. I'm committed to—

The Speaker (Hon. Steve Peters): Thank you. New question.

NORTHERN ECONOMY

Mr. David Oraziatti: My question is to the Minister of Northern Development, Mines and Forestry. For too long, northern Ontario's most precious resource, our youth, have been leaving for larger cities and other provinces with the hope of finding opportunities. Although this has been a constant challenge in northern Ontario, I

know it's an issue our government is taking very seriously.

In Sault Ste. Marie, there have been numerous investments through the northern Ontario heritage fund, which was created by a Liberal government about 20 years ago, and I'm pleased that the draft northern Ontario growth plan focuses on creating more opportunities for youth in the north, as both of these programs are aimed at mobilizing a new generation of entrepreneurs and community builders and reversing the trend of youth out-migration.

Minister, I know you recognize how important these initiatives are. Can you explain to the House how they benefit young people in northern Ontario?

Hon. Michael Gravelle: I thank the member for the question. He's certainly quite correct. Youth out-migration continues to be a very important issue affecting northern Ontario. That's why our government has introduced some specific programs that aim to prepare northern Ontario's highly skilled young workforce for future employment to secure a more prosperous future for tomorrow's northern families and workers.

In 2005, our government introduced the youth internship and co-op program and the young entrepreneur program, all of which have been remarkably successful. To date over \$28 million has been approved for the youth internship and co-op program, and over 1,500 internships and co-op placements have been created, many of them leading to full-time jobs. The young entrepreneur program is also an extraordinarily successful program. Over \$6.6 million has been invested in that program, creating jobs in northern Ontario for young people with innovative ideas, keeping them in northern Ontario where we want them to stay.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. David Oraziotti: NOHFC's youth internship and co-op program and young entrepreneur programs are helping youth find employment and assisting them with their entrepreneurial ventures, which is an important step in stemming youth out-migration in northern Ontario. In fact, in Sault Ste. Marie we've invested \$3.4 million, creating over 180 youth employment opportunities with local businesses.

However, as you are aware, youth out-migration does not only apply to our youth; it's part of a broader challenge across northern Ontario.

I understand the NOHFC has many other programs available for northern residents. Many of my constituents have benefited from these programs, which have helped create new jobs. Minister, what other programs does NOHFC offer to help northern Ontario residents build a stronger, more prosperous future for their communities and families?

Hon. Michael Gravelle: I think all northerners are very grateful to and very much appreciate the Northern Ontario Heritage Fund Corp. It's certainly a vital tool in building stronger, more prosperous northern communities.

We have seven unique programs that we've adapted to help foster hope and employment opportunities across the

north. I think they really are proof that our government is ready to invest in northerners.

We've increased it from \$60 million to \$80 million in the past year, and we do believe very strongly that we can help build a greater future.

To date, the NOHFC has approved over \$500 million toward nearly 3,000 projects, which has leveraged over \$1.6 billion, which is helping to create or retain more than 13,000 jobs in northern Ontario.

I certainly look forward to updating the House about some of our new programs, including the northern entrepreneur program, again a program that is going to help create jobs in the north, keeping them where they need to be for our economic future.

HEALTH CARE

Mr. Norm Miller: I have a question for the Minister of Health and Long-Term Care. I wrote to you on January 21, requesting a meeting with district of Muskoka councillor Fran Coleman and myself to discuss local health issues. Your staff called my office to advise that you would not attend the meeting. My office was told that it would be "inappropriate for the minister to discuss budget issues." Yet the next week, in the midst of a by-election, you not only met but intervened directly with \$15 million to keep Toronto Grace hospital open. Minister, how do you explain this contradiction?

Hon. Deborah Matthews: Thank you for the question. I'm very pleased that we were able to find a solution when it came to Toronto Grace hospital. I want to welcome representatives from the Salvation Army who are here with us today.

What I can tell you is that we have always supported Toronto Grace hospital and the services provided at that site. It is a very special place. It provides exceptional care to its patients. It provides care to people, some of whom have faced great challenges in their life. They provide palliative care, complex care, rehab services. They are top-quality services. They are a vital part of our health care system.

We have a strong relationship with the Salvation Army. I was absolutely delighted, when I met with them, that they were willing to reconsider their decision and remain committed—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Norm Miller: That was a blah-blah-blah answer. You didn't explain the contradiction.

Minister, today I will present over 2,300 petitions collected in a few short days, signed by concerned residents of Parry Sound-Muskoka. They have watched health care services disappear over the last several years under this government.

Minister, Councillor Fran Coleman is here at Queen's Park today, ready to meet with you to discuss health care issues of critical importance to the people of Parry Sound-Muskoka. My question is: Will you meet with us to ensure that health care dollars are going to front-line

services—doctors, nurses, medical procedures for patients—not your new health bureaucracy?

Hon. Deborah Matthews: I am always pleased to meet with people and I would certainly welcome the opportunity to meet after question period.

Let's just take a moment to think about what we have in fact been able to accomplish over the six years we have been in office. Almost 900,000 more Ontarians have access to family health care than they had when we took office. There are 1,800 more doctors practising medicine in Ontario than there were in 2003. We've got more than 5,600 international medical graduates practising here in Ontario: almost a quarter of the workforce. We've increased medical school spaces by 23%. We've opened a new medical school, the Northern Ontario School of Medicine, and we recently announced 100 more—in fact, by 2013 we will have doubled the number of graduates from our medical schools. Every year, twice as many will graduate as when we took office.

1120

SCHOOL CLOSURES

Ms. Andrea Horwath: My question is to the Minister of Education. As a result of this government's education funding formula that pits parents against parents, schools against schools, and forces boards to close schools, Parkwood Hills Public School in Ottawa, which has 400 students and is operating at 96% capacity, has been designated for a closure. The vote to close this school failed at committee, but it was subsequently approved at the board at a meeting two weeks ago because one trustee was absent due to a family emergency.

My question is this: Will the minister commit today to putting the brakes on this school closure until these voting irregularities can be investigated?

Hon. Leona Dombrowsky: First of all, I think that it's very important for me to state today that our government is absolutely committed to supporting school boards and the important work that they do to support students in their area. These boards are elected by their community to make the very best decisions in the interests of their children. We respect that process. I would say that while I appreciate that the honourable member—there may be people in the community who do not agree with the decision. We do have faith in the school boards and we do respect the decisions that they make.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The committee voted to keep it open. One person was missing from the board meeting, and then it got voted on to be closed. So there are voting irregularities here that are forcing a school to close when it's at capacity. It makes no sense whatsoever.

Even the president—maybe this will convince the minister, Speaker—

Interjections.

The Speaker (Hon. Steve Peters): The members will come to order, please. Please continue.

Ms. Andrea Horwath: Maybe this will convince the minister: Even the president of a local Liberal riding association who sits on the school board voted to keep Parkwood Hills open. Parents have real questions about the integrity of this particular process.

Will the minister make a commitment to the parents and the children of Parkwood Hills school to undertake a review of this controversial vote today or does she plan to stand back while Ontario parents watch yet another school shut its doors while questions remain unanswered at a school that is at capacity?

Hon. Leona Dombrowsky: This government will allow the board to do the work it was elected to do. What I can say to you is—and I have served as a trustee for 14 years; I have served on committees that brought reports to the board that were not always supported—that is the function of the process that is in place at the board level. It is the collective wisdom and understanding of the board that determines the direction the board will pursue. That has happened in this case. We respect that.

I respect that there are some people who are not happy or content with the decision. There are tools at the board level—there could be motions to reconsider a decision that happens at the board level—and I would encourage people in the community who feel strongly that they may want to engage the trustees to consider those types of things.

WILDLIFE MANAGEMENT

Ms. Leeanna Pendergast: My question is for the Minister of Natural Resources. Minister, as you know, my riding of Kitchener–Conestoga is largely rural, with the three townships, as well as urban with south Kitchener. As such, I've received calls from constituents who have real concerns about coyote sightings. Media stories throughout the province have documented stories of Ontarians who have come too close to coyotes for comfort. In some cases, there have been documented incidents where livestock and coyotes have come into conflict.

My hometown is on the Grand River, and we listen to the coyotes regularly, perhaps a lot more frequently. Are there more coyotes? Is the coyote population in the province increasing? And if it is, what steps can Ontarians take to keep themselves and their families safe?

Hon. Linda Jeffrey: My sincere thanks to the member for this question, because it is of concern to Ontarians.

The honourable member correctly points out that this is an issue for many Ontarians. The Ontario coyote population is not threatened; therefore the ministry does not keep hard numbers of the populations of coyotes. That being said, the anecdotal evidence collected by the ministry does point to an increase in human interaction.

Public safety is of the utmost importance for this government, and that's why my ministry has taken significant steps to keep Ontarians informed and safe. MNR is now collecting data from coyote sightings near

human populations to better coordinate future responses. We also released a coyote fact sheet on my ministry's website, and we've shared it with local municipalities. This details the steps that anyone can take to keep themselves safe.

Coyotes have adapted well to living near human populations, and this has increased the number of sightings.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Leeanna Pendergast: Minister, safety education is paramount. We teach our children safety when living near the water and wildlife, but what more can individuals in Ontario do to keep themselves safe? I am aware of some organizations and municipalities in the province that have called on the province to provide bounties for culled animals and would appreciate knowing the ministry's response to this.

Minister, just how concerned should Ontarians be about coyote-human interaction?

Hon. Linda Jeffrey: Providing Ontarians with accurate information on how best to deal with their local nuisance coyote population is very important. Coyotes are usually fearful of humans. However, during winter and early spring, when the food resources are scarce, the coyotes are emboldened to explore new urban and rural areas.

Homeowners can take steps to protect themselves. Keep your pets inside when you know local coyotes are out; keep your garbage and your pet food stored and sealed indoors, if possible; and be aware of where your children are at all times.

Ontarians should always exercise caution around wildlife, but aggressive behaviour towards people is unusual for coyotes. My ministry is open to working with any municipality and my ministry's regional offices are providing technical advice on a daily basis.

With regard to the issue of bounties, they're illegal and largely ineffective. If homeowners have specific concerns, our Fish and Wildlife Conservation Act sets out the legal obligations for landowners or their agents when dealing with nuisance animals.

AGENCY SPENDING

Mr. Jim Wilson: My question is for the Premier. On October 21, my office filed a freedom-of-information request with the Higher Education Quality Council of Ontario for the personal expenses of the president, the director of corporate services and the director of research. From 2007 to 2009, the Higher Education Quality Council spent \$12,223 on hospitality and catering. Of that, they repaid \$1,558 the day after we filed the freedom-of-information request.

My question to the Premier is this: Given your new expense rules, why is it that these items were only repaid after we filed the FOI request?

Hon. Dalton McGuinty: To the Minister of Training, Colleges and Universities.

Hon. John Milloy: I think members are aware that the Higher Education Quality Council was established as part

of the Reaching Higher program. They provide advice on higher education in Ontario. It's an arm's-length body of the government and is subject to the rules of government expenses. When the Premier introduced new, tougher rules, HEQCO, as did other agencies, adopted those rules, but in the spirit of the new rules, they took the extra step of applying them retroactively and reimbursed some of the expenses.

As I say, they have embraced the new rules going forward, as have other agencies across the government.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jim Wilson: One of the expensed items was a \$400 engraved watch from Birks jewellers. In addition, there was \$260 in ineligible alcohol expenses and \$769 in reimbursements to agency executives without detailed receipts—all against the new rules. On top of that, the CEO, James Downey, billed a whopping \$11,628.29 for a three-month stay at the Sutton Place Hotel. That's over \$3,800 a month for a luxury hotel room.

My question to the Premier is this: Who is holding these unelected and mostly unknown government agencies to account?

1130

Hon. John Milloy: HEQCO aligns itself with government directives. When the new policy directives came forward from the Premier several months ago, and the honourable member is aware of those, it adopted the new tougher rules. In the spirit of the new rules, they took the extra step of applying them retroactively, and a number of expenses were reimbursed. As I say, HEQCO is following the lead of other agencies.

I'll remind members of the new policy. The new policy includes new and simplified guidelines for travel, meals and hospitality expenses for all OPS employees, political staff and employees at Ontario's agencies, boards and commissions. HEQCO has aligned itself with these new directives.

HEALTH CARE

Mr. Paul Miller: My question is to the Minister of Health: 2010 is threatening to be a very hard year for the people of Hamilton because of this government's wrong spending decisions. Instead of managing health care dollars wisely, we have seen wild spending on insider consulting contracts and bloated executive salaries. Now Hamilton hospitals are being forced to slash jobs and cut programs.

When will this minister protect health care in Hamilton by spending our health care dollars properly?

Hon. Deborah Matthews: This government's commitment to health care, I think, speaks for itself. We have increased spending. We have better results. We are actually posting our results on the website. People know that they have much better health care now than when we came to office in 2003.

We are, however, facing some very serious economic challenges in this province, and I know the member opposite is aware of that. That is why we have asked

hospitals to do the very difficult work, to look hard at the programs and services they offer and put together balanced budget plans. They have embraced this task, I must say, with real enthusiasm, and I think they have brought creative solutions. They are working with the LHINs to really create the best possible health care for people right across this province, including the Hamilton area.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Paul Miller: That's an interesting response. Last week, St. Joseph's Healthcare announced 12 nursing and staff cuts as well as significant increases to patient and visitor parking fees. This follows the devastating cuts of 149 jobs at Hamilton Health Sciences, as well as reduced patient services. Shockingly, these hospitals warn that the cuts we know of today could just be the tip of the iceberg. Even deeper cuts may be around the corner as the minister speaks.

When will this minister explain why the people of Hamilton are losing their health care services while this government continues to pour our precious health care dollars down the drain?

Hon. Deborah Matthews: Perhaps I could remind the member opposite about some of the investments that we have made in Hamilton Health Sciences. They have had—get this, Speaker—a more than \$150-million increase in their base funding since we were elected. I just want to repeat that: a \$150-million increase in base funding. That's the funding they get year over year. On top of that, there is funding for other special initiatives, such as reduced wait times.

We have also, in the Hamilton area, invested \$93 million in the Hamilton Niagara Haldimand Brant LHIN for their aging at home strategy, a strategy designed to take pressure off hospitals and provide services as close to home as possible. We've invested over \$76 million in funding to reduce wait times. That's 32,000 more procedures than otherwise would have been done.

We are in difficult times—

The Speaker (Hon. Steve Peters): Thank you. New question.

PROMOTING ONTARIO

Mr. Lou Rinaldi: My question is to the Minister of Tourism and Culture. Minister, the 2010 Winter Games present a unique opportunity that Ontario needs to take part in and seize on. It's presenting a global stage for Ontario to showcase its strength. As the world watches with interest, Ontario needs to take action. We need to take action to showcase the beauty of this province and attract potential tourism. We need to take action to encourage investment and strengthen our global partnership. While we appeal to the international markets, we need to continue our commitment to Ontario businesses. We need to ensure that Ontario businesses play a vital role in any marketing of Ontario that is undertaken in Vancouver.

Minister, what action has this government taken in this forum?

Hon. Michael Chan: In Vancouver, to Canada: Go, Canada, go.

I want to thank the member from Northumberland—Quinte West for the question. Ontario businesses are playing a vital role in promoting the province in Vancouver. Take for instance the Sprucewood Handmade Cookie Co., from the member's riding. They produce delicious cookies that come with both taste and success. The Sprucewood cookie company's cookie is one of 10 products that are in high demand at Ontario House. Here's a great example of the culinary tourism experience that Ontario has to offer.

Businesses like these are playing a vital role as we showcase Ontario as a great place to live, to visit and to—

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Lou Rinaldi: Minister, as the games unfold, many memorable stories will unfold for both Ontario and Canada. One such story should be Ontario's success in reaching out to the world. As we reach out, we need to showcase our diversity, our education system, our competitive tax system and our commitment to research and innovation. These are our greatest strengths. We need to show the world that Ontario is a great place to live, work and invest. Increased activity in tourism is one such venue. Will the minister assure Ontarians that he will move forward to create such opportunities?

Hon. Michael Chan: The past week I had the privilege of being in Vancouver to represent Ontario. We are showcasing all that Ontario has to offer through our pavilion, Ontario House. Our commitment to research and innovation is evident. Among the many leading-edge companies on display at Ontario House is Toronto's InteraXon. Their thought-controlled computer technology has made lighting up the CN Tower, the Parliament buildings and Niagara Falls with your brainwaves a reality. Our government is committed to showcase to the world that there is no place like Ontario. We will continue to do so as we welcome the G8 and G20 countries, worldwide events, the international Indian film festival and, of course, the 2015 Pan American Games, to Ontario.

CORRECTION OF RECORD

Hon. John Wilkinson: On a point of order, Mr. Speaker: I just want to correct the record. The website that I referenced is properly found at www.ontario.ca/taxchange.

The Speaker (Hon. Steve Peters): There being no deferred votes, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1138 to 1500.

MEMBERS' STATEMENTS

CITY OF VAUGHAN

Mr. Peter Shurman: I rise today to recognize the city of Vaughan for two recent achievements. In December

2009, the city of Vaughan was awarded the Distinguished Budget Presentation Award by the Government Finance Officers Association of the United States and Canada.

The Distinguished Budget Presentation Award program recognizes those governments that have succeeded in preparing a high-quality budget document that contributes to better decision-making and enhanced accountability. The criteria and guidelines that the city had to follow in order to qualify for the award require that the budget be an effective policy document, operations guide, financial plan and communications tool.

And if that weren't enough, a recent report by the Conference Board of Canada, entitled *City Magnates II: Benchmarking the Attractiveness of 50 Canadian Cities*, recognized the city of Vaughan as having one of the top two performing economies in Canada. The report, which assesses the appeal of Canadian cities to skilled workers and mobile population, gave the cities of Vaughan, Calgary and Edmonton an A grade for a strong economy.

While I and the residents of my Thornhill riding have known for years that the city of Vaughan is a great place to live, work and raise a family, I am pleased to see that the city is earning the recognition it deserves.

My congratulations to Mayor Linda Jackson, the city manager and all members of the city's financial management staff on these fine achievements.

AFFORDABLE HOUSING

Mr. Glen R. Murray: It is my pleasure to speak about an issue that is very important to my constituents and very important to me.

For many years, I have worked hard to deliver affordable housing to those who need it most. I believe that elected representatives can work together with private sector partners and community groups to make sure that every person has a key in their pocket to a safe place to live at the end of the day.

I am proud to be part of a government that is spending more money on affordable housing than we ever have in the history of our province. Under the affordable housing agreement, alongside the federal government we are investing \$1.2 billion in affordable housing. Some of the biggest affordable housing projects in Ontario are right now in my constituency of Toronto Centre. Seven hundred and eighty affordable housing units are being built in Regent Park, and we are providing almost \$6.5 million for 130 home ownership units and 80 home ownership loans.

There is still work to be done, but our government is committed to moving forward on this issue and helping all Ontarians find a safe place to live.

AGRICULTURE INDUSTRY

Mr. John O'Toole: I'm rising today in response to the needs of the agricultural sector in our economy. I'm concerned that this government is so busy struggling with

its debt and tax controversies that it doesn't have enough time to recognize agriculture.

Agriculture needs farm-friendly policies at Queen's Park—and not struggling to control red tape. Agriculture needs fair compensation to farmers impacted by government-imposed regulations not of their making. Farmers need a say in the rules and regulations that make it harder for them to do their jobs as producers of food for our tables in Ontario and indeed around the world. Many farmers are looking for a workable risk management plan for non-supply-managed commodities, a new long-term risk management initiative with stable and sustainable funding for the industry.

In recent weeks, I've had the privilege of meeting and speaking with many farm and agribusiness leaders in my riding of Durham, people like Charles Stevens of Wilmot Orchards, who is also a director on the OFVGA; Kirk Kemp and Mike Gibson, who are the new owners and operators of Algoma Orchards, a \$35-million business; Ted Eng, an Uxbridge councillor and organic farmer; and young farmers and leaders: Scott Nesbitt, Scott Swain, Joe Hickson from the Grain Farmers of Ontario, Andrew Frew and many others whom I have no time to mention.

I'd urge this government not to ignore the needs of agriculture and to work with this community to create sound policies that are not just good for farmers but—

The Speaker (Hon. Steve Peters): Thank you. The member from Scarborough Southwest.

FAMILY DAY

Mr. Lorenzo Berardinetti: I rise today to speak on Family Day, which was just celebrated yesterday.

The theme that resonates with Family Day is love. I can think of no better tribute than having to celebrate Family Day around St. Valentine's Day.

The McGuinty government was committed to add this holiday in February within the first year of its new mandate and ensured that it became law on October 12, 2007.

This is the third year we are celebrating Family Day. Years from now, generations will come to judge the wisdom of having a holiday between New Year's and Easter, which is usually a cold, dark part of the year. As I stand today here in this Legislature, I foresee that 50 or even 100 years from now, future generations will look back to the day when Family Day became law, and pay homage to the Premier and this government for the vision and wisdom in dedicating the third Monday in February of every year as Family Day.

Family Day is also celebrated in other provinces as a statutory holiday—in Alberta and Saskatchewan. In Manitoba, it's called Louis Riel Day. In PEI, it's called Islander Day.

Family Day is a day to spend with family and those we love. Our families here in Ontario take part in all kinds of activities on Family Day, and this past year was no exception. Many of us visited museums and art galleries, or stayed with our families doing arts and crafts or even watching the Olympics on television.

In conclusion, Family Day will continue to grow as the years go by and will continue to be an important holiday for all Ontarians.

AMBULANCE SERVICE

Mr. Ted Arnott: Members of the council of the town of Erin are urgently seeking a meeting with the Minister of Health and Long-Term Care. This is a reasonable request that the minister cannot brush off. The issue is simple, even if the solution is somewhat more complex: slow ambulance response times when residents of Erin call in an emergency.

Just days ago it was reported in the Erin Advocate, the community's fine local newspaper, that a woman waited over an hour for an ambulance on a frigid January night. She had fallen in the parking lot of the Erin community centre. They called 911. The dispatcher advised that she should not be moved but instead covered with blankets, pending the arrival of the ambulance. Again, it took more than an hour for the ambulance to arrive. How could this be allowed to happen? Imagine if this happened in the city.

This is totally unacceptable to me as the MPP for Wellington-Halton Hills, to our PC caucus, and it should be unacceptable to the Minister of Health. It should also be unacceptable to the council of the city of Guelph, which has been the ambulance provider for the county of Wellington and the city of Guelph.

Action in this case is not an option; it is a necessity.

For a start, we need the active involvement of the Minister of Health. Erin council representatives are planning to attend the ROMA-Good Roads Conference next week. We need her to help broker a solution which improves response times for ambulance service in east Wellington.

I quote the Erin Advocate from February 10: "Something must be done. We hope the minister listens well, and finds a way to—

The Speaker (Hon. Steve Peters): Thank you. The member from London-Fanshawe.

LONG-TERM CARE

Mr. Khalil Ramal: My riding of London-Fanshawe is known to be friendly and accommodating to residents and guests alike. We are lucky to have services for all of our citizens, with a focus on seniors.

Last week, I had the pleasure of visiting Kensington Village, a retirement community that has benefited from our government's investment in long-term-care beds. I was accompanied by several community leaders as we toured the unique home and announced the rebuilding of 128 of their beds.

I was pleased when the decision was made to re-develop 4,100 beds across Ontario to better accommodate our elderly population. Not only would it impact our seniors, but it would also create and sustain 4,000 jobs here in Ontario. It is important for Ontarians to know that

our government is investing in the growth of a local economy.

Kensington Village has been a landmark in London since 1983. Mr. Peter Schlegel and family have been providing exceptional services to London's senior citizens, and I would like to congratulate their success and efforts. Together, it's our responsibility as public servants to ensure their quality of life and dignity.

Thank you for allowing me to make this statement.

1510

ABORIGINAL AFFAIRS

Mr. Howard Hampton: The First Nations of Fort Hope, Neskantaga, Summer Beaver, Webequie, Kasabonika Lake and Marten Falls are all located quite close to what is perhaps the hottest mining prospecting territory in the whole world, called the Ring of Fire, in northern Ontario. Indeed, mining companies, mining exploration companies, mining development companies from around the world are scrambling to get access to the Ring of Fire. Some would say that this is great news; I think it's good news. But the First Nations have some questions they'd like to raise.

This government promises a new relationship with First Nations. Many of these mining exploration and mining development companies refuse absolutely to talk to First Nations. The Minister of Natural Resources recently received a letter from the chief of Neskantaga, who pointed out that this government was allowing an airstrip to be built north of Marten Falls First Nation when none of the environmental rules or natural resource rules—and no consultation with First Nations had taken place. Indeed, a 200-kilometre railway is being mapped and planned, with no consultation with First Nations.

Many of these First Nations have bent over backwards to work with this government and work with the mining industry. They're wondering: When is this new relationship going to begin with the McGuinty government?

KINDNESS WEEK

Mr. Yasir Naqvi: It gives me great pleasure today to mark Kindness Week in Ontario. I think some of the members already enjoyed the cookies earlier today.

Kindness Week is a very special idea that has flourished in my community of Ottawa, and which I, along with the MPPs from Nickel Belt and Kitchener-Waterloo, had the privilege of formalizing in this House this past fall with a motion.

If I may quote the motion: "Simple acts of kindness can have a profound impact on individuals and communities, and therefore the spirit of Family Day should be augmented by declaring the third week of every February as Kindness Week in the province of Ontario to help strengthen a culture of compassion, thoughtfulness and kindness, and to counter a prevailing tendency towards cynicism."

It is my sincere hope that many of you members of this House and members of our communities will bring

Kindness Week to your community and experience the amazing things that can come from simple acts of kindness to others.

So often in our busy lives and growing communities, it is too easy to let the opportunity to do something nice for somebody pass us by. Yet we may not fully appreciate how far one kind gesture can go to making our communities better places to live, in strengthening the connections that we share with our friends, neighbours and strangers.

I encourage you to visit kindottawa.ca to see how Kindness Week can be a success in your community.

I'm also very pleased to partner with a great organization that transitions unemployed Ontarians to a position of employment and empowerment by assisting them with suitable business attire for job interviews or new careers. Seventy-five different service organizations across the city referred their clients to this service to help them break fashion barriers to gaining meaningful employment. Donations of clean and ready-to-wear business clothes and accessories can be left at the Speaker's office.

Choose to be kind.

GREEN POWER GENERATION

Mr. Wayne Arthurs: Our government has entered into an extremely important agreement with a consortium led by Samsung that will help Ontario become a global green energy hub.

This agreement will energize our renewable manufacturing industry by bringing four green manufacturing plants to Ontario, producing wind and solar energy infrastructure. This will create more than 16,000 jobs over six years in the manufacturing plants as well as during the construction, installation and operation of renewable energy projects.

In addition, the green energy produced as a result of this agreement will be approximately 110 million megawatt hours of emissions-free electricity. It's enough power to supply every home in Ontario for three years.

This will preclude the release of 40 megatonnes of carbon monoxide in the atmosphere that would have been released using other forms of energy production. That's equivalent to removing every car off Ontario roads for one year.

This agreement is an important investment that will establish Ontario as the leader in green energy manufacturing in North America, creating jobs for Ontarians and protecting our environment for generations to come. This will be a proud legacy of this agreement.

TABLING OF SESSIONAL PAPERS

The Speaker (Hon. Steve Peters): I beg to inform the House that during the adjournment the following reports were tabled:

On January 4, 2010, the 2008 annual report from the chief medical officer of health of Ontario, entitled *Infectious Disease Prevention and Control in Ontario: Continuing the Investment in Public Health 2008*;

On January 11, 2010, the report of the Chief Electoral Officer on the by-election in the electoral district of St. Paul's.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that, during the adjournment, the Clerk received the February 1, 2010, report of the Standing Committee on Government Agencies.

Pursuant to standing order 108(f)(9), the report is deemed to be adopted by the House.

Report deemed adopted.

INTRODUCTION OF BILLS

BRITISH HOME CHILD DAY ACT, 2010

LOI DE 2010 SUR LE JOUR DES PETITS IMMIGRÉS BRITANNIQUES

Mr. Brownell moved first reading of the following bill:

Bill 241, An Act to proclaim British Home Child Day / Projet de loi 241, Loi proclamant le Jour des petits immigrés britanniques.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement?

Mr. Jim Brownell: The British Home Child Day Act will set aside September 28 of each year to recognize and honour the contributions made to the province of Ontario by the more than 100,000 British home children who came from England, Wales, Scotland and Ireland to settle here in Ontario from the orphaned and destitute homes of those countries. They came here to work as domestics and farm labourers, and they certainly provided valuable contributions to the social and economic fibre of Ontario.

MOTIONS

COMMITTEE MEMBERSHIP

Hon. Monique M. Smith: I believe we have unanimous consent to put forward a motion without notice regarding committee membership.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that the following changes be made to the membership of the following committees:

On the Standing Committee on Finance and Economic Affairs, Mr. Prue be replaced by Mr. Tabuns and Mr. Shurman be replaced by Mr. Miller, Parry Sound-Muskoka;

On the Standing Committee on the Legislative Assembly, Mr. Tabuns be replaced by Mr. Prue;

On the Standing Committee on Public Accounts, Mr. Arnott be replaced by Mr. Shurman.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Monique M. Smith: I believe we also have unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that, notwithstanding standing order 98(b), the following change be made to the ballot list for private members' public business: Mr. Ramsay and Mr. Caplan exchange places in the order of precedence such that Mr. Caplan assumes ballot item number 60 and Mr. Ramsay assumes ballot item number 80; and that, notwithstanding standing order 98(g), the requirement for notice be waived with respect to ballot item number 60.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

STATEMENTS BY THE MINISTRY AND RESPONSES

ABORIGINAL RIGHTS

DROITS DES PEUPLES AUTOCHTONES

Hon. Christopher Bentley: I stand in the House today as the Minister of Aboriginal Affairs. It's a privilege for me to stand in this House.

Earlier today, I tabled a motion on the United Nations Declaration on the Rights of Indigenous Peoples, calling upon the government of Canada to reconsider its position on the declaration.

This declaration is the result of more than 20 years of discussions within the UN system. As is appropriate, aboriginal representatives played key roles in its development.

Plus tôt dans la journée, j'ai déposé une motion qui se rapporte à la Déclaration des Nations Unies sur les droits des peuples autochtones, pour que l'Assemblée législative de l'Ontario demande au gouvernement du Canada de reconsidérer sa position sur la déclaration.

La déclaration sur les droits des peuples autochtones est l'aboutissement de plus de 20 années de délibérations au sein de l'Organisation des Nations Unies. Comme il se

doit, les porte-parole des collectivités autochtones ont joué un rôle clé dans sa création.

Aboriginal people, communities and leaders in Ontario and throughout Canada ascribe significant importance to the declaration as a foundation for fair and harmonious relations.

The General Assembly of the United Nations adopted the declaration on September 13, 2007. Canada was one of only four nations to vote against it. In April 2009, the Labor government in Australia announced its endorsement of the declaration. Shortly after, New Zealand and the United States indicated that they are reconsidering their positions. Canada is the only country unwilling as of yet to reassess its stance and now stands alone.

1520

On December 17, 2009, Premier McGuinty wrote Prime Minister Harper, asking the government of Canada to reconsider its position. Ontario recognizes and affirms the constitutionally protected aboriginal and treaty rights of the aboriginal peoples of Canada within Canada's constitutional and treaty framework.

First Nation, Metis and Inuit have made enormous contributions to this country, yet aboriginal people often do not share in this prosperity. Stark socio-economic disparities exist between aboriginal people and others in Canada. Overall, aboriginal people in Ontario, including almost 300,000 First Nation, Metis and Inuit, are less affluent than non-aboriginal people. They do not attain the same levels of education and they suffer many ailments and diseases at higher rates. They are more often victims of violent crime and are overrepresented in our custodial institutions. This should not be. We need to do better and Ontario is doing better. The Ministry of Aboriginal Affairs and the rest of the Ontario government are working together with aboriginal people.

Much has been accomplished in the last couple of years. Last fall, Ontario hosted federal, provincial, territorial and aboriginal leaders to discuss ways to address the socio-economic gap. And just last month, Ontario, with the Chiefs of Ontario and the federal government, hosted my former colleague in this post, Brad Duguid—a current colleague—in the first-ever Ontario First Nations economic forum. It was an enormous success, with the promise of more economic opportunities for First Nations and indeed greater economic opportunities for all Ontarians.

A final example: The scene of those tragic events in Ipperwash was the setting for a joyful reconciliation last year as Ontario and the Chippewas of Kettle and Stony Point celebrated agreement on a process to return Ipperwash park to the First Nation.

These are only examples. With our aboriginal partners, our work continues. The McGuinty government remains committed to working with aboriginal people across this province to improve relationships and opportunities. A commitment by the government of Canada to review Canada's position on the UN declaration within the context of Canada's constitutional and treaty framework and related jurisprudence would be a positive

step. It would send a clear signal that Canada stands behind the values it advocates on the world stage.

So we, the Legislative Assembly of Ontario, call upon the government of Canada to undertake a review of its position on the declaration within the context of Canada's constitutional and treaty framework and related jurisprudence.

I thank you for the time.

The Speaker (Hon. Steve Peters): Responses?

Mr. Ted Arnott: I'm pleased to have this opportunity to respond to the statement that the government has brought forward today and to respond to the new Minister of Aboriginal Affairs. First of all, I wish to congratulate him on this new role and his new responsibility. I sincerely hope he will dedicate the time, effort and leadership that this portfolio requires.

Our caucus will carefully review and consult on this particular matter, and when the debate takes place, we will respond in a more fulsome way. Certainly the minister indicated in his speech just now that the resolution was passed by the United Nations almost two and a half years ago, so it makes us question the timing. It's interesting that the government would bring this up at this time. Clearly, the political objective of the government is to take a difficult issue and try to focus attention on what the federal government should be doing as opposed to drawing attention to what the provincial government has not done.

Simple demographics, among other factors, tell us how important the Ministry of Aboriginal Affairs and the work that's done are, particularly in terms of education and economic development. More than 242,000 aboriginal Canadians live in Ontario, the largest First Nations population in the country. Our province's aboriginal population is young. Over 26% are 15 years of age or younger. It's also a growing population. Between 2001 and 2006, it has grown by 20% for the First Nation population and a pronounced 52% for the Metis population. This is a good thing because aboriginal Canadians have so much to contribute and we need their talent, skill and culture.

Yet the McGuinty government's lack of meaningful action has made it difficult for these Ontarians to realize their full potential. Certainly during this government's time in office, aboriginal communities have heard a great many promises. Promises in themselves, however, do not lead to tangible results. Promises in themselves do not lead to an improved quality of life. Promises unkept amount to betrayals.

To ensure that betrayal is not this government's legacy, the new minister has a great deal of work to do. He has much to do not only on the substance of the issues affecting aboriginals in Ontario, but also to convince them, and indeed to convince this Legislature, that this government is truly serious. Grand Chief Stan Beardsy, for one, appears to be very disappointed by what he sees. Following the Premier's cabinet shuffle, the Wawatay News quoted him as follows: "We are disappointed that the Premier doesn't see aboriginal issues worthy of

having a stand-alone minister ... now the messaging seems to be for some reason the Premier does not seem to see First Nation issues as being important." Coming from one of our province's most respected First Nations leaders, this is a devastating indictment of this government's attitude.

Ontario Regional Chief Angus Toulouse is another highly respected aboriginal leader with concerns about this government's approach. Chief Toulouse says, according to the same newspaper, "It will be essential for" this government "to maintain the commitments as previously expressed ... to forge a stronger relationship based on trust and mutual respect."

Of course this government's track record on following through on their commitments is nothing short of disappointing. It's part of a pattern from this government. Instead of initiating real action they choose to initiate endless talk. They raise expectations which are later dashed. They make promises to listen and then ignore what they hear. The HST is a prime example. This new provincial tax, which we know will negatively impact the household budgets of all Ontarians, will have an especially adverse effect on First Nations communities.

It seems like every week I receive letters from First Nations communities expressing opposition to the HST. In fact, I received one today from Chief Douglas Daybutch of the Mississauga First Nation in Blind River. In his letter, the chief makes a strong case against the HST:

"We, along with our other First Nation communities with Anishinabek Nation territory, never gave up, ceded or relinquished our treaty and aboriginal rights to be tax-exempt.

The HST, as proposed, takes away that right. It does not provide for point-of-sale tax exemption for our people—which currently exists within the Ontario retail tax system. All purchases made by First Nations people are potentially taxable, especially if the purchased goods are not delivered to the reserve."

The chief offers a strongly worded conclusion: "It is unfortunate that our people are yet again forced to defend our rights against governments who choose to ignore them."

Are those the words of someone who has been consulted? Are those the words of someone whose views and concerns have been addressed or even respected? These letters are consistent in this respect: They object not only to this government's new sales tax grab but also take issue with its approach, its lack of respect and consideration.

I'll say again, this minister and his government have a lot of work to do. Yet the McGuinty government can't convince one of its most agreeable media outlets that it's taking its job seriously—

The Speaker (Hon. Steve Peters): Thank you.

Mr. Gilles Bisson: Clearly there are people who are celebrating this announcement today, and I would imagine most of them are in the minister's office as we watch this particular statement today. I'm sure that

they're excited because finally they've got something they can work on with their minister when it comes to the issues that are facing our First Nations.

I think what probably happened goes something like this: The minister is appointed—he's a good man. I know Mr. Bentley. He's an honourable member, and I don't mean this in a disparaging way, but I just want to say his attention is somewhat pulled in other directions as AG. That's why I think there should be one stand-alone Minister of Aboriginal Affairs, but that's for another debate. But I think what happened was this: The minister said, "Okay. Get ready to brief me. I want to be able to do something that shows I'm going to do something positive when it comes to First Nations in Ontario." And so he said, "What issues do you think that I could be doing as minister?" "Oh, Minister," said his staff, "you can deal with the HST because of the exemption rule when it comes to how PST and HST is going to be applied when the new HST rules come in." "Oh no. We can't do that. That's clearly something the Premier doesn't want me to do," he said.

"What about revenue-sharing? How about we deal with that issue that First Nations have been trying to get moved on the agenda for some time that says whenever there's economic development within their regions such as a mine, a forestry activity or water development, that there's a mechanism for revenue-sharing?" He said, "Well, I don't think the Premier wants me to do that one either. Is there something else?" They said, "What about land use planning? First Nations would like to see land use planning issues dealt with so they can have a real say about what's going to happen on their traditional territories when it comes to development on their traditional territories." "Well, I don't think the Premier wants me to do that either."

1530

"Well, what about infrastructure? I hear this Bisson guy and this Hampton guy come in the House, and they talk about 20 to 25 people living in a house in most communities in far northern Ontario, everywhere from Moose Factory all the way up to KI into Big Trout Lake and others." "Well, no, we don't have the money for that one either. But is there anything that I can do?"

Then the minister said, "What about this declaration that I've heard about"—in regard to the United Nations, which wanted to pass a declaration on the rights of First Nations, and Canada is not doing anything to accept it. "What if we do that? Because if we did that, not only would I be seen as doing something positive, I could attack the Tories."

I've got to tell you, this minister is absolutely brilliant. He knew exactly what he was doing. If they're celebrating somewhere today, it's in the minister's office. Finally, they've got themselves something to do.

Listen, in all honesty, Minister, I know you to be an honourable member, and I'm having a little bit of fun with you now, but it isn't all that funny. The reality is, there are very pressing issues that face First Nations across this province. A lot of those issues are in the

control of the provincial government. If you talk to your colleague next to you, the Solicitor General, he will tell you how Nishnawbe-Aski policing is in deep need of infrastructure investments in order to offer just basic police services to the people that live in First Nations. What we've got is the same approach by the Solicitor General, who says, "I'm prepared to put up our half"—which is about \$14 million—"provided that the federal government puts in their half." We can't be playing that game. We either recognize the fact that First Nations are citizens of the province of Ontario or we don't. If we agree—and I say this is the case—that First Nations are citizens of the province of Ontario, we as a provincial Legislature and the government of Ontario have a responsibility to do what it can within its means to deal with the very pressing issues that are faced by First Nations across this province.

Donc, il y a beaucoup à faire. On sait que les Nations de la province de l'Ontario regardent le gouvernement provincial pour trouver des solutions aux questions et aux tâches qui concernent les Premières Nations de cette province. On sait qu'il y a beaucoup de problèmes quand ça vient aux logements dans les communautés, quand ça vient à l'éducation dans les communautés, quand ça vient à la question du partage des revenus sur les projets. Il y a beaucoup de dossiers que ce gouvernement provincial pourrait se prononcer dessus, et j'encouragerais le nouveau ministre responsable de ce portefeuille de répondre à ces questions-là, et de non seulement prendre une position politique telle qu'on voit aujourd'hui.

PETITIONS

HEALTH CARE

Mr. Norm Miller: I'm very pleased to present these 2,300 petitions, and to thank Fran Coleman, a councillor from Huntsville, who played a large role in getting these petitions to do with health care. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Muskoka Algonquin Healthcare have undertaken an operational audit to identify efficiencies and reduce costs; and

"Whereas we recognize that the status quo is not an option; and

"Whereas rehab services are of paramount concern to the residents of the region where income levels exclude them from accessing other alternatives; and

"Whereas the deficit recovery plan will not balance the budget;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health provide additional operational funding of 5% amounting to \$3.4 million to ensure the continuation of services as described in the deficit reduction plan submitted to the North Simcoe Muskoka LHIN dated January 29, 2010."

I support this petition and I'm pleased to sign it.

CEMETERIES

Mr. Dave Levac: This is a petition from the Brant county branch of the Ontario Genealogical Society, and it reads as follows.

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

I sign this petition with full support and hand it to Haleigh, our page.

DOCTOR SHORTAGE

Mr. John O'Toole: I'm pleased to present a petition on behalf of my constituents; one of them is Joan Randall and another one is Mary Metrailler. It reads as follows:

"Whereas the McGuinty government is conducting a review of the province's underserved area program," often referred to as UAP, "that may result in numerous communities across rural and small-town Ontario losing financial incentives to recruit and retain much-needed doctors; and

"Whereas financial incentives to attract and keep doctors are essential to providing quality front-line health care services, particularly in small communities" like Bowmanville, Uxbridge or Scugog; and

"Whereas people across Ontario have been forced to pay Dalton McGuinty's now-forgotten health tax since 2004, expecting health care services to be improved rather than cut; and

"Whereas taxpayers deserve good value for their hard-earned money that goes into health care, unlike the wasteful and abusive spending under the McGuinty Liberals' watch at eHealth Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not reduce or eliminate financial incentives rural communities and small towns need to attract and retain doctors."

I'm pleased to sign, support and endorse this and present it to one of the new pages, Amy.

CEMETERIES

Mr. Jim Brownell: I have a number of petitions; some were signed by members of the North Sherbrooke Historical Society. They read as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

As I agree with this petition, I shall sign it and send it to the clerks' table.

PENSION PLANS

Mr. Jim Wilson: "To the Legislative Assembly of Ontario:

"Whereas several paramedics in Simcoe county had their pensions affected when paramedic services were transferred to the county of Simcoe, as their pensions were not transferred with them from" the Hospitals of Ontario Pension Plan and the OPSEU trust pension plan "to OMERS, meaning they will receive significantly reduced pensions because their transfer did not recognize their years of continuous service; and

"Whereas when these paramedics started with their new employer, the county of Simcoe, their past pensionable years were not recognized because of existing pension legislation; and

"Whereas the government's own Expert Commission on Pensions has recommended that the government move swiftly to address this issue; and

"Whereas the government should recognize this issue as a technicality and not penalize hard-working paramedics;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Finance support Simcoe-Grey MPP Jim Wilson's resolution that calls upon the government to address this issue immediately and ensure that any legislation or regulation allows paramedics in Simcoe county who were affected by the divestment of paramedic services in the 1990s and beyond to transfer their pensions to OMERS from" the Hospitals of Ontario Pension Plan or OPSEU trust.

Obviously I agree with this petition, and I will sign it.

CEMETERIES

Mr. Jim Brownell: Again, I have a number of petitions, some of them signed by members of the Collingwood and District Historical Society. They read as follows:

"To the Legislative Assembly of Ontario:

"Whereas protecting and preserving Ontario's cemeteries is a shared responsibility and the foundation of a civilized society; and

"Whereas failure to safeguard one of our last remaining authentic cultural heritage resources, Ontario's inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, Inactive Cemeteries Protection Act, 2009, to prohibit the relocation of inactive cemeteries in the province of Ontario."

I agree with this petition, and I shall send it to the clerks' table.

TAXATION

Mr. Jim Wilson: "Whereas the hard-working residents of Simcoe-Grey do not want a harmonized sales tax (HST) that will raise the cost of goods and services they use every day; and

"Whereas the 13% blended sales tax will cause everyone to pay more for, to name just a few, gasoline for their cars, heat, telephone, cable and Internet services for their homes, house sales over \$400,000 ... electricity, newspapers, magazines, stamps, theatre admissions, footwear less than \$30, home renovations, gym fees, audio books for the blind, funeral services, snowplowing, air conditioning repairs, commercial property rentals, real estate commissions, dry cleaning, car washes, manicures, Energy Star appliances, vet bills, bus fares, golf fees, arena ice rentals, moving vans, grass cutting, furnace repairs, domestic air travel, train fares, tobacco, bicycles and legal services; and

"Whereas the blended sales tax will affect everyone in the province: seniors, students, families and low-income Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty Liberal government not increase taxes for Ontario consumers."

I agree with this petition, and I will sign it.

1540

SOCIAL SERVICES FUNDING

Mr. Bob Delaney: It's good to be back in the Legislature. It's also good to stand up and read a petition. I'd like to thank Edna Toth, our good friend from the Peel Poverty Action Group, for having submitted this petition. It reads as follows, and it's addressed to the Ontario Legislative Assembly:

"Whereas the population in Peel has tripled from 400,000 residents to 1.2 million between 1980 to present. Human services funding has not kept pace with that growth. Peel receives only one third the per capita social service funding of other Ontario communities; and

"Whereas residents of Peel cannot obtain social services in a timely fashion. Long waiting lists exist for many Peel region service providers; and

"Whereas Ontario's Places to Grow legislation predicts substantial future growth, further challenging our already stretched service providers to respond to population growth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario allocate social services funding on the basis of population size, population growth, relevant social indicators and special geographic conditions;

"That the province provide adequate growth funding for social services in Peel region; and

"That Ontario develop, in consultation with high-growth stakeholders, a human services strategy for high-growth regions to complement Ontario's award-winning Places to Grow strategy."

It's an excellent petition. I'm in agreement with it. I'm pleased to sign it and to send it to the table with page Nevan.

CHILDREN'S AID SOCIETIES

Mr. Jim Wilson: "To the Legislative Assembly of Ontario:

"Whereas in 2008-09, the Children's Aid Society of Simcoe County (CAS) served 4,356 families and 10,890 children, and also conducted 3,159 protection investigations; and

"Whereas the CAS currently has 399 children in their care; and

"Whereas in July 2009 the McGuinty government cut funding to the Simcoe county CAS by 10.4% this year, which is \$5.6 million less than the amount the CAS requires to operate; and

"Whereas, beginning in February 2010, the children's aid society will have exhausted all of its cash flow allocations, including a \$2-million line of credit, and is now facing decisions on which bills it can now pay, including consideration of payments to the 174 foster homes which have children in their care;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Premier Dalton McGuinty should immediately review the situation at the Children's Aid Society of Simcoe County and ensure that the province provides for families and children who need critical government support to protect children and families from harm."

I've signed this petition and I certainly agree with it.

CEMETERIES

Mr. Jim Brownell: I have petitions, some of them signed by members of the Toronto and Area Council of Women, and they read as follows:

"To the Legislative Assembly of Ontario:

"Whereas Ontario's cemeteries are an important part of our cultural heritage, and Ontario's inactive cemeteries are constantly at risk of closure and removal; and

"Ontario's cemeteries are an irreplaceable part of the province's cultural heritage;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the re-location of inactive cemeteries in the province of Ontario."

As I agree with the petition, I shall sign it and send it to the clerks' table.

ORDERS OF THE DAY

ELECTION STATUTE LAW AMENDMENT ACT, 2010

LOI DE 2010 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Mr. Bentley moved second reading of the following bill:

Bill 231, An Act to amend the Election Act and the Election Finances Act / Projet de loi 231, Loi modifiant la Loi électorale et la Loi sur le financement des élections.

The Speaker (Hon. Steve Peters): Debate?

Hon. Christopher Bentley: I'll ask that I share my time with my parliamentary assistant, the member from Willowdale.

I'm very pleased to be able to speak to Bill 231, which at its heart is a further improvement and enhancement to the heart of our democratic process, the heart of a process whereby we elect the members of this House, the heart of a process whereby we enable people in the province of Ontario to express their will on who should govern them—and these Election Act amendments are designed to ensure that more people in more circumstances can do so more conveniently. They are a continuation of the efforts that we have made over the past six and a half—almost seven—years to strengthen the democratic process in this province.

I want to say at the very beginning that the specific amendments that are before the House now are in large measure a result of an all-party legislative committee. Let us be clear that an all-party legislative committee, with my colleague and parliamentary assistant David Zimmer, along with Greg Sorbara, Howard Hampton and Norm Sterling, worked very hard to come up with improvements and amendments to the legislation. I'm pleased to say that the recommendations of that committee have been substantially and significantly adopted and are reflected in this legislation. I would like to thank, regardless of party affiliation or other and additional views, all those members representing all parties for their work on this particular piece of legislation.

These amendments related to the Election Act and the Election Finances Act are about providing Ontarians with more opportunities to vote and increasing accessibility

for all voters. It's about ensuring that everybody has a voice and the opportunity to express that voice, and that there's an opportunity for Ontarians to exercise their right to vote.

Il s'agit de veiller à ce que tout le monde ait voix au chapitre et puisse s'exprimer, de veiller à ce que toutes les Ontariennes et tous les Ontariens aient toutes les occasions possibles d'exercer leur droit de voter.

The bill would deliver three key changes to improve the election system for voting. My colleague the MPP for Willowdale, my parliamentary assistant, will speak in more detail about a number of the changes, but I just wanted to highlight three key changes.

It will increase the opportunities for Ontarians to cast a ballot. For example, voters will be able to vote by special ballot, including voting by mail or taking a ballot to the returning office, giving people more opportunities to cast that ballot.

Secondly—and I know, on this issue, that before he took his seat in the House, I had conversations with the MPP for Toronto Centre–Rosedale on this very issue. Secondly, it will increase opportunities for persons with disabilities to vote. This is going to be done by allowing Ontario's Chief Electoral Officer to introduce, where they believe appropriate, new technologies such as voting machines to assist persons with disabilities to cast their ballot privately and independently at returning office advance polls.

Thirdly, these amendments would give the Chief Electoral Officer more flexibility to design a voting process that enhances service delivery and ensures that elections keep pace with and are responsive to the needs of Ontarians. Ontarians change with the times. Ontarians are often ahead of the times. We need to make sure that the process by which Ontarians express their democratic voice changes as well. What better approach than to give flexibility to the Chief Electoral Officer to meet the requirements, the exigencies of the time?

All of this would be done while maintaining the integrity of our voting system. Each of these proposed changes is significant in its own right. They reflect, as I say, the all-party committee, but they are part of a process that we have undertaken, from the time we became government in 2003, to strengthen our democratic electoral system.

You'll recall that in our first mandate we introduced—and have adhered to—fixed-term election dates. So we not only introduced them; we actually followed through on them, which is always a good thing. That eliminates political considerations in the calling of a vote. I know my colleagues opposite like to know when the elections will be called. All the people of Ontario would like to know when they're going to vote so that it doesn't become a political football that can be exercised, thrown or kicked according to the whim of the government of the day.

1550

In that same bill, we sent a very strong message and took a very important step: We said that we would strengthen our system by preserving the 11 northern

ridings in the Legislature for the province of Ontario. That contrasts with the changes that were made federally.

I know, in speaking to my colleagues and having travelled throughout the north—in fact, just last week I was in Thunder Bay and Dryden in my role as Minister of Aboriginal Affairs. I was visiting the First Nations communities in Wabigoon Lake, Eagle Lake and North Spirit Lake. I'm aware of the challenges of geography, the challenges of climate that are most significantly expressed in the north, whether you're flying in, such as to North Spirit Lake, or whether you're driving enormous distances. Speak to my colleague from Manitoulin, Mike Brown, about the enormous distances from one end of his riding to the other.

It is important that we ensure a very strong, democratic voice throughout the province of Ontario, with particular emphasis on those areas where diminishing it could take place by reducing the number of ridings. I'm pleased that we took those steps to maintain 11 ridings in the north.

We also established a citizens' assembly. The people of Ontario had the benefit during the last election of passing judgment on the recommendations of that citizens' assembly, a citizens' assembly drawn from all over the province of Ontario to get their advice on how we might change our electoral system. They provided that advice and we put the advice to the people of Ontario. We put it there as a separate ballot item to the people of Ontario for the people to pass judgment on. The people had that opportunity and they passed judgment. They said no, but they passed judgment. At the end of the day, we had a process that was open, that was free, that was fair, that was democratic and gave the people of Ontario an opportunity to express their views on how they would elect people in the future.

Hon. Rick Bartolucci: That's open government.

Hon. Christopher Bentley: That is open government, as my colleague from Sudbury rightly says, and that is a democratic government.

I want to talk about some of the other changes that we had made over the course of our mandate. These are, as I say, the second package of reforms.

I spoke about fixed-term elections. Of course, during the last mandate we also passed changes to our election legislation which increased substantially the number of advance poll days. It's hard to find a day now without an advance poll on it, so there are opportunities for Ontarians to cast their ballot.

We expanded the number of voting hours. Often in years past, you'd get into that situation where people would have difficulty juggling the daily and family and other responsibilities of work etc. with their wish to cast their ballot. Well, no longer. We're open many, many hours.

The Chief Electoral Officer was given authority to test new voting methods in by-elections. Those additional voting methods, I understand, have been tested, and it is the fact that they have been tested and tested successfully

which has given us the ability to make some of these proposed changes to this election legislation.

The changes that we are proposing to enable persons with disabilities to have greater access to the foundation of our society, the democratic process, continue a voice that we, as a government, have raised since 2003 in support of those with disabilities, with the passing of the Ontarians with disabilities act in 2005 and with the very hard work of my colleague Minister Meilleur in ensuring that Ontarians with disabilities have the type of access to all institutions in society that many of us take for granted.

Hon. Rick Bartolucci: She's a real champion.

Hon. Christopher Bentley: She has been an enormous champion to improve access for persons with disabilities. These proposed changes to our election legislation continue the very strong steps that we have taken as a government to say that all should have access; all should have the right that many of us, as I say, take for granted.

We are building a more accessible Ontario. A more accessible Ontario is a stronger Ontario. A more accessible Ontario is not just a better Ontario for those with disabilities, who will have the opportunity to more fully participate in all of society's institutions, who will have the opportunity to more completely achieve their potential as a society, but it makes us a stronger society, because a society in which every Ontarian can reach their potential is the only society in which this province can reach its potential.

I am very pleased with these proposed changes and I would commend these proposed changes to my colleagues in all parts of the House. They do, after all, reflect the work of an all-party committee. I commend these changes and the ones that my colleague the MPP for Willowdale will speak to in just a moment as an important step and another step in this government's determination to strengthen the democratic foundation of our society by strengthening the important, essential election legislation that guides and shapes the exercise of our democratic voice.

With that, I'll turn the floor over to my colleague, my parliamentary assistant, who has worked so hard on these changes as well as the other Ministry of the Attorney General initiatives that we have: the MPP for Willowdale, David Zimmer.

The Acting Speaker (Mrs. Julia Munro): The member for Willowdale.

Mr. David Zimmer: It was an honour for me to serve on the Select Committee on Elections alongside members of all three political parties, and it's truly gratifying to see our recommendations come to light in this bill.

The work of our committee was motivated by a simple but crucial principle: Ontarians want a government that works for them. One of the most important things we can do to make sure that successive governments—not just this government; successive governments—remain rooted in this basic principle is to ensure that the legislation, the rules and the processes we have in place to govern our elections are modern, are effective and are

efficient. That's why it's so very important for us to take a look at our election laws every so often with fresh eyes, with the experience of the last few elections under our belt.

The fact is that this is a system that we've inherited, a system with a long history rooted in a past that does not always match the reality of the society we live in today, no matter how well it served our society in the past. The work of the committee and the content of this bill are focused on ensuring that our election legislation is fully in line with the contemporary needs and expectations of all Ontarians—and I stress the “contemporary” needs and expectations.

There can be no question that each and every citizen of this province has the opportunity to exercise his or her democratic right to vote, because the truth is that all political parties and all citizens have a profound and fundamental interest in seeing that elections keep up with the times while ensuring that the integrity of our election process is never in doubt.

This legislation would help voters in three key areas. First, it would increase opportunities for Ontarians to cast a ballot; second, it would increase access to voting for persons with disabilities; and third, it would enhance service delivery in the voting process across the board.

I would like to start by spending a bit of time on discussing how the voting experience would be diversified and improved in these areas by Bill 231.

1600

As the Attorney General has explained, one of the key accomplishments of this bill would be to increase voting opportunities for Ontarians with disabilities. Our government is especially proud of this aspect of the bill, which builds on the legacy we are creating through the Accessibility for Ontarians with Disabilities Act.

Bill 231 would give the Chief Electoral Officer the ability to direct the use of accessible voting equipment. Ontario would be the first among the provinces and the federal government to permit the use of voting machines that allow persons with disabilities to vote privately and independently. This would be a significant improvement.

The bill would also provide persons with disabilities the option of requesting that the election officers make a home visit to assist with the special ballot application and with voting. Indeed, the bill would improve the voting experience for a broad range of Ontarians who are unable to vote on election day or in person during the election period: people such as snowbirds, seniors and military persons who are out of the jurisdiction at the time of the election—as well, of course, as persons with disabilities.

This would be accomplished through the introduction of special ballots which include both voting by mail and taking a ballot to the returning office in person. Special ballots would allow Ontario to eliminate the current system of proxy voting, which does not allow electors to vote independently and, therefore, undermines the secrecy of the ballot.

Another key reform is that this bill would significantly increase the flexibility afforded to Ontario's Chief

Electoral Officer, which should make election service delivery better. I would particularly like to cite two examples in this regard. First, the Chief Electoral Officer would be provided with the authority to modify the voting process in order to improve the voting process and the voting experience. In addition, the Chief Electoral Officer would be given the flexibility to determine the hours and dates for advance polls.

This bill would also provide more flexibility for post-secondary students by allowing them to choose whether they want to vote in the electoral district where they reside temporarily while attending an educational institution or where they reside permanently—for example, with their family.

All of these initiatives are supported by measures that ensure that the integrity of the election system remains strong, such as the requirement that voters show identification. These reforms to increase opportunities to cast a ballot to enhance access and to improve service delivery would be an important and significant step forward for Ontario voters and Ontario elections.

This bill matches the increase in flexibility for improved service delivery with an equal focus on increasing the professionalization of service delivery, because, just as it is imperative that we do what it takes to provide ample opportunities for Ontarians to cast a ballot, so too is it incumbent upon us to do what it takes to better ensure that election officials are sufficiently experienced and appropriately qualified.

That's why this bill would depoliticize the appointments of returning officers and poll workers. This includes eliminating the existing requirement that poll workers be appointed from lists provided by candidates. This bill would also establish new authority for the Chief Electoral Officer over appointments and remuneration of election officials so that these officials are more directly accountable to the Chief Electoral Officer.

For example, terms for returning officers would be introduced so that current appointments would expire in 2013. New returning officer appointments would be made by the Lieutenant Governor in Council on the recommendation of the Chief Electoral Officer. Subsequent appointments would last for 10 years. The Chief Electoral Officer would be permitted flexibility to establish fees, including wage levels for election workers. This would better ensure that the election officials are sufficiently experienced and appropriately qualified. It would also reduce delays in staffing and training poll workers.

With responsibility comes accountability, so the legislation would also modernize the Chief Electoral Officer's financial accountability for election funding. The Chief Electoral Officer would make an annual submission to the Board of Internal Economy in which he would establish fees for election officials. The board would have the authority to accept, reject or modify the proposed fees.

Another area of this bill that I want to touch on today is the proposals to modernize election finance rules by providing more convenient contribution options that

reflect modern banking practices and emerging financial transaction technologies. Under the current system, contributions exceeding \$25 are only permitted by cheque, money order or an individual's credit card. This bill would bring us into the 21st century by allowing the use of corporate credit cards, debit cards, online contributions and electronic transfers. This would be accompanied by a new centralized electronic management of receipting, whereby central political parties would issue receipts for all contributions to the party, constituency associations and candidates. The chief financial officers would continue to be responsible for verifying the eligibility of the contributors.

These changes to the finance rules are all about modernizing a system that currently inconveniences some Ontarians who may want to get involved in the election process by contributing to a political party or a candidate. The initiatives that I've outlined in this bill today are design to make elections more accessible and to ensure more integrity and greater transparency in the voting process.

Ensuring that our elections are governed by modern, effective and relevant legislation is not a task motivated by the political priorities of the day. It is motivated by the core democratic principles that will endure far longer than any succession of governments or political parties. It is motivated by the simple principle that I mentioned at the beginning of these remarks: the belief that Ontarians want a government that works for them.

I believe that this bill would help bring our election laws up to date so that more Ontarians can participate in the voting process and so that more Ontarians will see that the voting process is infused by the highest standards of integrity. I urge all my colleagues of all political parties in this chamber to support this legislation.

The Acting Speaker (Mrs. Julia Munro): Comments and questions?

Mr. Peter Shurman: It gives me pleasure to rise in the Legislature and tell my colleagues from the other side that we in the Conservative Party will be supporting this bill because we, too, believe that it's high time that we took a look at some of the things that we in Ontario can do for voters to see to it that all of us, regardless of political stripe, get the support of the people who really want to support us and that we make it possible for those people to come out and express their support by casting a ballot one way or the other. Bill 231 does that.

Very particularly in my thoughts are people who are categorized as snowbirds and people who do serve in the military and people who are disabled. Those are people who deserve the vote as well.

As I recall, voter turnout in general elections here in the province of Ontario runs anywhere between 50% and 60%, depending. It would be nice to see it be, to look at one example, something like the Australian turnout, which tends to be upwards of 90%. In Australia, as most members, I think, know—and some may not—there's a fine levied against you if you fail to cast your ballot. I'm not advocating that, but I can tell you that in discussions

I've had with friends, colleagues and acquaintances from time to time, the idea is not something that escapes their thoughts.

One of the things that I'd like to put on record, however, is that despite the fact that the Conservative caucus does support this bill and will be voting for this bill, it would be nice to have seen the bill cover some aspects that are not mentioned: to wit, the financing of elections by third parties. I think we can all agree in this chamber that that happens. It may not be financing of elections per se, but it is advertising directed in support of one party or another by third parties who have a vested interest. So it would be nice to see, when this bill goes to committee, some reference made to that.

1610

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Michael Prue: It's a pleasure to stand up, having listened to my colleagues and their waxing eloquent on the merits of Bill 231. They spoke quite long, but really what they're saying is that this bill, although it does contain some enviable and admirable provisions, doesn't really say a whole lot. It doesn't go to the heart of the matter of what is wrong with elections in Ontario. It goes in part to allowing the Chief Electoral Officer to make decisions; it goes in part to the accommodation of students who are living outside of their home polls; it goes in part to depoliticizing the process of hiring poll workers; but it doesn't do very much.

There was some comment about disability issues and how they were proud that they were going to address the disabled community. I will have a great deal to say about that when it is my opportunity, but I want to say to them bluntly and forthrightly: I don't think you listened to the disabled community at all. Had you listened to the disabled community, the fiasco of one of the polls in the recent by-election in Toronto Centre would not have happened, where a person showed up in a wheelchair and was not able to vote. They had to be carried down the stairs. That is something that was supposed to have been dealt with, that was asked to be dealt with and that was not dealt with, and simply putting aside an opportunity for people to go to an advance poll to vote with some kind of new electronic device is not going to cut it. The majority of people want and need to vote on election day, and that includes the disabled community as well as the non-disabled community. It includes people who consider it a right to weigh all of the factors right up until election day so that they can have their minds made up on that day, not some days, weeks or months in advance, and to go to a place that is secluded and is not necessarily the same for all electors.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Lou Rinaldi: It's my pleasure to add a couple of minutes of comments on Bill 231.

You know, we could argue here that this is not enough, that it doesn't go far enough and that we forgot this. The fact of the matter is that we're making some

progress. When it comes to election day, we're always criticized. The comments are that the poll is in the wrong place or that it's hard to get to. Frankly, as legislators, we never really put a process in place to give those directions to the people who are doing this kind of work. So I think this is an excellent start, and when I say "excellent," it's because we've had a multi-party committee look at issues, speak to folks across the province and collectively come out with recommendations which the ministry has then put into legislation.

I remember in my last two elections, 2003 and 2007, it wasn't uncommon when I was out knocking on doors, as all of us have been, to have people say, "Well, that election date"—whatever date it is—"is challenging for me." We used to use proxy voting, so you had to explain the proxy and all that kind of stuff. It was very cumbersome. In some cases, it was in schools which were frankly not accessible. Now it's giving the Chief Electoral Officer the authority to assess those challenges and make sure that that accessibility piece is addressed.

In my riding, I have one of the largest armed forces bases in Canada, and that's always an issue for those personnel because they're all over the place. This obviously addresses that concern and I look forward to this piece of legislation moving forward.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Ted Chudleigh: When the minister was speaking, he talked about how sometimes Ontarians get ahead of the game. I would suggest Ontarians are right on the game and that it's the government that is behind the game.

The minister said that he substantially followed the recommendations that were put forward by the committee to look into election reform. I would point out that they avoided the recommendation that was made by the committee about third party advertising, which is the largest intrusion into provincial politics in the last 15 years, and it's the elephant in the room that the government failed to address.

They also failed to address a recommendation made about a boundary commission. I'll be speaking to the bill in a few minutes and I'll have more to say about that. A boundary commissioner is responsible for the realignment of ridings so that there's an equality to the number of votes and the number of constituents in each riding.

Ontario, of course, is the only province in Canada that does not have a boundary commission. When we followed the federal boundaries, coterminous riding boundaries with the feds, we didn't need one, but since the 11 seats in the north have been maintained by this government in gerrymandering activities to maintain their seats up there, then the boundary commission would be required in order to have equity and fairness in the system.

He talked about essentially following the recommendations. However, there was a recommendation which I thought was a very strong one, that if they wanted a higher turnout, they should move the elections to the

spring, when there are more daylight hours for people to vote in. I'll have more to say about this later.

The Acting Speaker (Mr. Ted Arnott): We have time for one last question or comment. I recognize the member for Willowdale.

Mr. David Zimmer: Folks have had a chance to sort of reflect on this legislation. I often get asked questions about the legislation, so I just wanted to walk through a couple of the questions I've been asked from time to time and give you the answers to some of these questions.

One question that I do get a lot of is—

The Acting Speaker (Mr. Ted Arnott): To the member for Willowdale, I apologize. We had time for one last question and comment. I recognized you in error, actually, so now we go to—wrong speech.

There's still time for one more question and comment. I'll turn to the member for Brant, and I apologize for the confusion.

Mr. Dave Levac: I appreciate the opportunity to enter into a small piece of the debate, which I'd like to continue to do, and that is about the people. I think everyone has acknowledged that. Unfortunately, I'm not quite sure if the NDP is suggesting that this is a nothing bill or whether it is acknowledging that it is an attempt to bring us into the 21st century, which the member from Willowdale is so rightfully pointing out.

There are some advantages to what the proposal in this legislation is offering us. The advantage is to make sure that the people who have been disenfranchised are now re-enfranchised. The disenfranchised are people who could not get to the polling booth because of a wheelchair and because of the situation that was there. They had a right to vote, and some of the people who were at the polling station made those adjustments quite well, but it was not easy enough in all cases and I think that's what we're talking about in this particular piece of legislation.

Those who are serving our country in faraway places: Let's make it easier for them to vote. For the people that have disabilities that make it difficult: translators for those who don't have talking ability, those who need some assistance.

I think those are the ideas that we're trying to present today in this piece of legislation, the Election Statute Law Amendment Act of 2009, Bill 231.

1620

As I have said in the past and I'll continue to say, this bill will find itself in committee and offer an opportunity for those who believe that it's not good enough to be able to step forward and offer their support and ideas. For those who are in the opposition who believe that, yes, this is the right direction we're going in but there are still some things that need to be looked at, we will be reviewing the debate. Staff will pore over the comments that are made from everybody, from all the sectors that are going to be commenting on this particular piece of legislation, and make it the best possible piece of legislation it can be to improve the capacity for the people of Ontario to exercise their franchise—to vote. That's what we're going to be encouraging: making it easier for

people to vote. It's that simple. When we put that along with the people who are getting the training for this new piece of legislation, if passed and when passed, I would suggest that we will be able to see a rise in voting statistics because we are making it easier for them to vote and we are encouraging them to vote. We will be using our education system, which we've been doing, to encourage people to participate in the democratic process.

I thank the minister for putting the bill forward and I thank his parliamentary assistant for eloquently outlining what the bill says.

The Acting Speaker (Mr. Ted Arnott): Once again, the Chair apologizes for any inconvenience to this House that my mistake may have caused.

I'll return now to the member for Willowdale, who has two minutes to reply.

Mr. David Zimmer: Thank you, Speaker, and you're forgiven.

Anyway, we've brought this election reform legislation forward, as I said in my remarks, because it is incumbent on governments of whatever political stripe of the day to keep an eye on the integrity and the effectiveness of the electoral process.

There is such a change in attitudes out there among members of society, there's such a change in the development of new technologies, there's such a change in the public's expectations of how they should be able to participate effectively in the electoral process that it is incumbent upon all governments, from time to time, to update those rules which ensure that the people of Ontario can effectively participate in the electoral process. That's why the select committee was established. That's why the select committee was peopled with members of all political stripes from this Legislature.

I can tell you, from sitting on that select committee with my colleagues from the NDP and my colleagues from the Conservatives, who are obviously supportive of this legislation, that there was a non-partisan recognition that when it came forward, the core of the bill was to recognize that the process had to be modernized so that the voters of Ontario, the voters who place us here, the voters who listen to our arguments during political campaigns and, based on those political arguments and political representations, make choices of who they want to vote for and who they want to return to be the governing party of Ontario—that process has to have integrity and effectiveness. This legislation serves that end, integrity and effectiveness.

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Ted Chudleigh: I'm pleased to have some thoughts on this piece of legislation. It's an interesting bill in that it's not so much about what's in the bill. There's much in the bill that could be supported. However, the things that were left out of the bill were a shame. It was too bad to miss the opportunity. It was mentioned by the member from Brantford that this bill would bring the election process in Ontario into the 21st century. I think it would certainly advance the election

process; I'm not sure it makes the 21st century or not. It may get us into the 1990s. It's too bad that we missed this opportunity, because the committee made some excellent recommendations that were either ignored or passed over.

The minister mentioned again that, substantially, the recommendations of the committee were followed. That is true in that many of the clauses in the bill did come out of that committee. However, the exception to that is that third party advertising during elections, to the degree that it takes place in Ontario, was recommended for some action, and there has been action taken by the federal government, by the Quebec government and by the BC government. There's a bill currently working its way through the Legislature in Alberta. Other provinces have seen fit to do that, and that is one reason why I would say that this legislation does not bring us into the 21st century; it leaves us in the 1990s, and that's too bad.

The one recommendation that was made was that fixed election dates—in political parties, there's a debate as to whether it's a good thing or a bad thing. Possibly in weighing those, those in opposition would say that it's a good thing; those in government might not agree with it. However, fixed election dates have seen the turnout in Ontario elections—which has continually declined. From 62% or 63% in my first election in 1995, I believe in the last election in 2007, the turnout was something like 56% across the province. It was 58%, I think, in 2003. The committee made a number of recommendations as to how that might be corrected. One was to move the fixed date to the spring. Traditionally—I suppose not traditionally, but in many, many cases in Ontario, provincial elections were held in the spring. In the spring, there is more daylight. People spend more time out of doors and they're more likely to leave home again after they've come home from work. If the polls were open until 9 o'clock, I think that you would see more people participating in the election in the spring as opposed to the fall.

Also, there was a recommendation made that election day either be declared a holiday, so people would have time to vote, or that it be held on Saturdays or on some day on the weekend—it could be held on Sundays or Saturdays. There were some religious connotations to that. However, Saturdays are a time that could very well increase voter participation if it was indeed the desire of the government to increase the opportunity for people to vote.

The minister also spoke about the size of the ridings that they have in Ontario. He made comment that the 11 ridings in northern Ontario—he was very pleased that they were able to maintain those 11 ridings. I have difficulty with those 11 ridings, especially from the point of view of the size of my particular riding, the riding of Halton. The riding of Halton probably has 230,000 people in it currently, when the average Ontario riding has 107,000 in it. That's well more than double the size of the average riding. If you do the math on that, the people who are the electorate in Halton—and they have one vote in this House through me—my constituents are

getting half a vote per constituent as opposed to someone who is in an average riding of 107,000 people in Ontario.

When we go into northern Ontario, the gerrymandering of those ridings in maintaining the 11 seats up there left some ridings where there are fewer than 65,000 people in them. Those numbers give the electorate in those ridings a disproportionate value to their vote in comparison to the people who cast a ballot in the riding of Halton. That is unfair and that should be corrected by a committee such as this. That is another opportunity that was missed and another instance as to why this bill is not necessarily one of the 21st century; it is one perhaps of the late 20th century.

This legislation, as I started out to say, is a very acceptable piece of legislation for what it says; it is not necessarily a successful piece of legislation because of what it has left out. The things that concern me are not what's in the bill but what is not in the bill.

1630

There's nothing in this bill about third party advertising. That's something that has gone on in this province for the last two or three elections and which operates outside the Election Act, and that is very, very dangerous from the point of view of democracy. What makes elections very questionable in this province is obviously third party advertising, and it's very obvious, very blatant and very purposeful in what it does to elections and election results in this province. For the government to bring in a piece of legislation that ignores the largest change in the election process that we've had in this province over the last decade or so is very disappointing. Third party advertising distorts and flaunts the Election Act, something that has grave concerns for the democratic process in Ontario. That is the largest concern about this piece of legislation, in that nothing in this legislation is said about third party advertising.

One of the other things that is very concerning—and I think it was point 14 in the explanatory notes—is where the Chief Electoral Officer can authorize or commission reports and research, given the history of this government on their contracting for reports and research. There's no direction given in the act as to how these commissioned reports or this research should be conducted. I could go on by mentioning the Samsung contract just recently, which was a sole-sourced contract: about \$437 million that's going to a sole-sourced, untendered contract. It's unbelievable that that much of Ontario taxpayers' money can be spent over the next number of years without having a tendering process and perhaps even attracting a company in Ontario that can do some or all of what Samsung has been contracted to do.

We also saw the Windsor energy plant, which was in conjunction with the casino in Windsor, contracted for, I think, \$40 million or so, and the contract rose to \$81 million. It was an untendered contract, sole sourced, and, of course, the energy plant fails to turn on when you throw the switch. It's what happens when governments don't take the proper precautions in doing contracts with taxpayers' money.

That's one of the things that concerns me in that this Chief Electoral Officer is going to be authorized to commission reports and research, and yet it doesn't give any guidelines whatsoever about whether best practices should be used. It doesn't say what those best practices should be. It doesn't say anything about using the lowest bidder. It doesn't say anything about going to public tender. It doesn't say anything about cost controls. It doesn't say anything about any application of how these contracts for commissions and reports will be done.

Given the recent history, of which I've enumerated only a few—I could go on with a number of other ones, like Sarah Kramer being bought off with \$25,000 for a single speech; the eHealth board and \$1.5 million in severance payments; Glen Murray—15 million health care dollars spent to buy the Toronto Centre by-election. That was during the by-election when the Grace Hospital was bought out. Steve Mahoney received \$140,000 per year for a part-time job. You know, it just goes on and on about the waste that this government has entered into when it comes to spending taxpayers' dollars, and spending taxpayers' dollars to solve their political problems, and that's a shame.

Here we have a piece of legislation before the House that gives authority to the Chief Electoral Officer to commission reports, to commission studies and research, and it doesn't give any direction to him whatsoever as to how those reports should be commissioned or how those reports should be tendered.

A permanent boundary commission was also debated during the committee, but it is not included in this bill. Again, that's a shame, because the boundary commission is something that nine of the other provinces in Canada have and that Ottawa, our federal government, has. A boundary commission is something that determines how big a riding should be, what the boundaries of that riding should be, so that it equalizes the number of voters and the number of constituents in each of those ridings and makes sure that "one member, one vote" is equally distributed across Ontario. So if you're a member from Thunder Bay and in the last redistribution you represented 107,000 people, and if you're a member from downtown Toronto, essentially you would also represent 107,000 people at the time of the redistribution. The boundary commission would make those decisions.

In Ontario, a boundary commission would be commissioned or would be proposed in a piece of legislation such as this, and here we are with this piece of legislation—that has come through committee, has been studied—and still we don't have a boundary commission, and a boundary commissioner is not proposed in this piece of legislation. It's amazing to me that the government can be proud of this piece of legislation when they have omitted two of the most essential things that are needed in Ontario at this point in time.

When the Select Committee on Elections put out their report, there was a dissenting opinion put out by the member for Carleton-Mississippi Mills, Norm Sterling. He was a member of that committee and was very upset

about the fact that those things were missing. It's a one-page report, and I'd like to read it into the record.

"The PC caucus endorses recommendation 26 of the committee to limit third party spending in Ontario, but wants to make certain that this recommendation is implemented. Third party advertising has been recognized as a serious problem in Canada by our federal Parliament and by five provinces: British Columbia, Quebec, New Brunswick, Manitoba and Alberta.

"Ontario has a law, but it is very weak in that it only requires registration and reporting of contributions for six months of the election year. As the Chief Electoral Officer of Ontario, Mr. Essensa told the committee, 'This allows third parties to build advertising war chests but not to report on the source of those contributions at an earlier time.'

"Some Canadian jurisdictions have enacted limits on third party spending. They range from a low of \$300 in the province of "Quebec to a high of \$183,300 federally.

"In Ontario there is no limit. In the last provincial election, the third party advertiser 'Working Families' spent more than \$1 million on advertising during the writ period. They raised \$1.4 million solely from trade unions.

"Because of the way Ontario's election finance laws are written, it is impossible to know how much was raised and spent prior to the issuance of the election writ.

"Election laws have been enacted to ensure a level playing field between politicians and their respective parties; to ensure that elections are held in a free and fair manner and that they are open and transparent. As third party advertisers become more involved in electoral events, it is necessary to ensure that they are governed by those same laws and that the laws are designed in such a manner as to recognize that elections are contested by individuals who put their names forward as candidates for public office and, in most cases, the political parties to which they belong.

"Third party advertisers have a legitimate role to play in the democratic process but they need to be open and transparent and should not have a freer hand to influence the political process than the individuals and parties who take part in the election. Further, it is also important to ensure that such third parties are truly independent, and are not subject to undue influence from any registered candidate or political party in the conduct of the advertising campaigns.

"Therefore, the PC caucus recommends, in concert with recommendation 26, that the Legislative Assembly enact a law that:

"—restricts third party spending;

"—restricts third party contribution;

"—requires timely reporting of third party contributions, whenever donations are made"—i.e., not limited to the six months prior to the writ; and

"—provides for better enforcement of existing law to ensure that third party spending is not used to circumvent election finance laws, including stronger anti-collusion provisions.

"Further, we recommend that the Legislative Assembly of Ontario establish an all-party committee, with

equal representation from all three parties, to propose draft legislation to address these issues."

1640

That concludes the dissenting opinion in the report of the Select Committee on Elections, and it was purposefully done. It was a level, even-handed recommendation and it is one that I think the government should have taken much more seriously than it obviously did, because it has been totally ignored when it came to the drafting of the bill.

I might also comment as to who these Working Families are. I can tell you that they're a group of trade unions that include the Ontario English Catholic Teachers' Association; the Canadian Auto Workers union; the Ontario Secondary School Teachers' Federation; the International Brotherhood of Boilermakers, Local 128; the International Brotherhood of Electrical Workers; the millwrights; the International Union of Operating Engineers, Local 793; the painters district council 46 and the Ontario Pipe Trades Council. They contributed, in total, \$1.4 million, with the largest contribution falling to, let me see, the Ontario Secondary School Teachers' Federation with \$170,000—oh, the English Catholic teachers' association outdid them with \$175,000. The Canadian Auto Workers were somewhat pikers in this deal; they gave \$200. Individual millwrights gave \$1,254.24. The International Union of Operating Engineers gave \$66,389 and the building and construction trades gave \$26,657—all to be spent on advertising.

It's interesting that there appeared—

Interjection: That's what we know of.

Mr. Ted Chudleigh: Those are the ones we know of. Those are the funds that were raised six months prior to the election date. There could have been a lot more money raised prior to that date and I would suggest that there probably was.

There's also a very close relationship between the boards of directors that run Working Families and the board of directors that runs the Ontario Liberal Party, with the relationship being so close that it would be difficult to pass the sniff test if you were suggesting that the two might be in collusion with each other. That is, they used the same advertising and communications group, Arrow Communications, which was paid almost \$200,000 by the Ontario Liberal Party. They were also used by Working Families. Pollara is a polling company used by the Ontario Liberal Party, and they were also used by Working Families in Ontario. The list goes on and on as to how those two organizations are so tightly held together.

We talked about what's not in the bill, about the Working Families Coalition scandal and the recommendations of the Chief Electoral Officer, who recognized this problem in his recommendations. He recommended to the government that something should be done about this. There should be some restrictions placed on how much third party advertisers can raise, as there are in five other provinces and in the federal government as well, and nothing was done. That was something that the government, in drafting the bill, totally ignored.

As I pointed out earlier, the bill also should have created a boundaries commission to ensure that fair, transparent and democratic boundaries are created and people are equally represented. Usually during a boundaries commission, the commissioners are charged with putting together ridings that have like interests amongst them. That would mean that in the town of Milton, which has currently about 90,000 people in it—by election day in 2011, that will probably be pretty close to 107,000—the people of Milton would be like-minded. Currently the people of Milton are lumped in with the people of upper Oakville and upper Burlington, and I would suggest that there's a significant difference between those groups of people and the issues that they're interested in.

On the other hand, if I look north, I see the towns of Halton Hills, Georgetown and Acton. I look at those people in association with the town of Milton and I see that the interests of those three groups of people—Georgetown, Acton and Milton—are very similar. The same issues that bother one would bother the other, where that is not necessarily true for the people of Oakville and the people of Burlington, who are much more urbanized than those in the northern part of the region of Halton.

A boundaries commission is something that this committee overlooked, and I think it was a serious omission.

The Select Committee on Elections considered the government's proposals and complementary proposals made by the present and past Chief Electoral Officers. Despite the desire of the committee, this bill does not harmonize Ontario's electoral legislation with the federal legislation, which was a goal of this committee, and it doesn't do that. Neither does it address the issue of third party advertising, which I have already spoken about.

As a result of this bill, voting by proxy will be replaced by voting by special ballot. Ontario is one of the only provinces that permit proxy voting and do not permit mail-in or special ballots. That's one of the pieces of this legislation that I kind of like. I think that's a good thing.

I see also that they're going to make all kinds of other special provisions for people to vote, including home visits for voting, visits to hospital rooms and daycare centres and places of care for our elderly citizens and those types of places.

I'm not sure that all those other things are necessary if you have a mail-in ballot. Somebody can take a mail-in ballot, fill out a name and an address and perhaps a social insurance number or some form of identification, a PIN number, from the voting rules. This person can vote in that method. I think that would make access to the ballot box much better than it is today.

In today's world, people travel consistently and are away from home for lengthy periods of time. Quite often they'll take a contract in another country that may last three, four or five months or even longer than that. I quite often get requests through the constituency office because someone has been on a contract and out of the province for 10 months. Of course, when you're out more

than six months you need to have a three-month residency period to get back into our health care system. If someone is working overseas on an overseas contract, that isn't necessarily fair. You have to go through some hoops in order to get that looked after. However, that's the world we live in. Voting by mail-in ballot, providing that ballot can be adequately identified, is one of the good things that are in this bill.

This bill also provides the Chief Electoral Officer with the power to set the time and date of advance polls in designated areas. This power does not extend the length of advance polls, which remains unchanged. Ontario currently has more advance polling opportunities than any other jurisdiction in Canada, and I think that's also a good thing in conducting an election. Making polls available to people who want to cast their ballot, I think, is a good thing and a positive thing and one of the good things about this bill.

The bill also expands the powers of the Chief Electoral Officer in a number of other areas, and I'll get to those in a minute.

As a result of the Representation Act of 2005, Ontario's electoral districts are no longer tied to changes in federal electoral districts. That was the bill that was passed in 2005 that maintained the 11 seats in northern Ontario, even though those seats made it inequitable as far as the number of voters who cast ballots in those seats. As few as 65,000 voters are in some ridings in northern Ontario, whereas, I mentioned earlier, the population of my riding in Halton is 230,000, with perhaps 180,000 voters. That makes the voters in these small ridings have a disproportionate impact on bills that are voted on in this House.

1650

Mike Brown over there doesn't have the same number of voters that he votes for that I would vote for, and that's inequitable in Ontario. I think you would agree with me.

Interjection.

Mr. Ted Chudleigh: Obviously, your voice wasn't listened to during the period that this was discussed in your caucus.

The fact that we no longer follow the federal electoral districts, of course, is a huge problem, in that we don't have a boundaries commission. For that to be omitted from this piece of legislation, I find, is a significant problem.

The special ballots that would include home visits by returning officers in specific circumstances—that sounds rather expensive to me—replace the use of proxy voting. The powers of the Chief Electoral Officer, which I referred to earlier, are expanded, and they include modifying voting processes established by the act in consultation with registered parties; providing direction for the use of mobile polls at hospitals, retirement homes, nursing homes and other institutions on polling day; providing the dates and times for advance polls in designated areas—advance polls are still required at the returning officer's office for the same number of days; directing that accessible voting equipment and related

vote-counting equipment be used during advance polls in every electoral district; establishing a fee payable to officers and other persons for their services under the act; and undertaking studies to improve the voting process and voting for persons with disabilities.

I pointed out earlier that the act, although it gives the power to the Chief Electoral Officer to undertake studies and conduct research into how to do those kinds of things, doesn't give any direction as to how those studies and research should be conducted, as to whether it's done in the most fiscally responsible manner or not. Again, given the history of this government, one would be suspicious about how that may work out in the future.

Another positive aspect of this bill is that students, particularly university or college students who are away from home, often could not cast their ballots because, election day being Thursday, they couldn't get home from class, or they were out of province at school, and so therefore they were disenfranchised, as it were. This bill will change that. It will allow students to vote in the electoral district where they are attending their post-secondary education facility. If that facility is in Ontario, they will be able to cast their ballot. If it is outside Ontario, I would suspect that they could use a mail-in ballot and, therefore, cast their ballot in that form. Again, they would be participating in the election process in Ontario, instead of being disenfranchised.

Also, there are a number of other parts of this act which I find are fairly good. They help the democratic process, I think. One of them is to expand how contributions over \$25 can be made to account for technological advancements in individuals and third parties. Quite often, keeping track of finances during an election process is a challenge. Money comes in to the party, and hopefully is accounted for, and that money then becomes part and parcel of the expenditures. I can tell you that the expenditures had better equal the income or the Chief Electoral Officer and his auditor are going to give you a very, very difficult time. The Election Act in Ontario is very good in that way, in that all money has to be accounted for. That's a very good thing. This strengthens that and allows for electronic contributions and the tracking of those contributions.

Also, there was a bit of a loophole in that an estate of a deceased person could make a contribution to a party and constituency association. The person and their estate are deemed to be one person, and contribution limits for individual persons apply. I don't think that would have amounted to a great deal of money, certainly not the \$1.4 million that the Working Families Coalition would account for, but it does introduce a factor of fairness into the election, and that's a good thing.

The Chief Electoral Officer will make an electronic database which records all contributions received and allows for the issuing of receipts for registered political parties, constituency associations and candidates. A party may opt into the use of the database, but upon doing so, must use it. The publication, broadcast or transmission of any election survey results not previously made available

in an electoral district on polling day before the close of all polling stations is prohibited. That was another loophole that from time to time was used during political elections. Sometimes the accuracy of those polls would be strongly questioned. Sometimes they were old polls. Sometimes they were not conducted in the same manner that a good polling company would have used.

Official websites to a registered party: A candidate or constituency association are exempt from the blackout period for campaign advertising. You have a lot of advertising that goes on to your website, and of course taking down your website the day before or the day of the election was a very difficult thing to do. Also, the use of the website to direct voters to their polling stations becomes an intricate part of the campaign and getting people out to vote, the culmination of really everything that you did throughout the campaign period. Making that exemption official—it was kind of there in the past, but it was kind of overlooked. You were told that it was okay, that you didn't have to adhere to it, but strictly speaking it was a problem. It's very nice to have that cleared up so that people know exactly where they stand during the election.

Campaign expense limits will be determined by using the greater number of electors shown in the list of electors after the writ is issued or the number of electors entitled to vote, as determined by the Chief Electoral Officer after the election. This was a clause that would greatly affect perhaps three ridings in Ontario: the King-Vaughan-Aurora riding, which is a very rapidly growing riding; also the riding of Markham, which is very fast-growing and has huge numbers of people; and, of course, my riding of Halton, which is the fastest-growing riding in Canada. Throughout the campaign, you're never sure how much money you can spend, because there are limits as to what you can spend during the writ, and the election rolls keep changing during the election. When you do mailings to individual houses, which are very expensive, you end up not knowing if you're going to go over the amount designated for the individual election expenses or whether you're going to be too far under. You don't want to be too far under, but you don't want to be over. You don't want to be over by a nickel, because there are dire consequences to that.

1700

Having this flexibility as to what the numbers are, all of those people who are not on the permanent list of electors and who get themselves on during an election—in the last election I think there were over 5,000 voters in my riding of Halton who got on to lists during the campaign and, of course, that made quite a difference to the amount of money that we could spend during the campaign writ period.

I would talk again about some of the consequences and some of the effects of Working Families, who raised \$1.4 million in the six months prior to the election. Perhaps they raised more than that before that point in time, and because of the way that Ontario's election finance laws are written, it's impossible to know how

much was raised and spent prior to the issuance of the election writ.

"Election laws"—and I think this bill is aimed in this direction—"have been enacted to ensure a level playing field between politicians and their respective parties, to ensure that elections are held in a free and fair manner and that they are open and transparent. As third party advertisers become more involved in electoral events, it is necessary to ensure that they are governed by those same laws"—the individuals who put their names forward, who put their names on the ballot as candidates for public office and, in most cases, the political parties to which they belong.

Third party advertisers have a legitimate role. I'd point out to you—and I make that point strongly—that "Third party advertisers have a legitimate role to play in the democratic process, but they need to be open and transparent and should not have a freer hand to influence the political process than the individuals and parties who take part in the election. Further, it is also important to ensure that such third parties are truly independent and are not subject to undue influence from any registered candidate or political party...."

I pointed out before there's a strong relationship between Working Families and the Liberal Party and that strong relationship, I suggest, would not pass the sniff test but, so far, the Chief Electoral Officer has not taken action in that direction.

The Chief Electoral Officer reported on May 7, 2009, to the Select Committee on Elections. He made a good report, some five or six pages long. He thanked the Chair. He pointed out that he would like to focus on three areas of his interest and suggested the committee should do something about these three areas. The first one he mentioned was third party advertising and the third party advertising requirements in the Election Finances Act, which he suggests are very weak; secondly, "questions the select committee may wish to consider with respect to the regulation of third party advertising; and third, the role of the Chief Electoral Officer in administering the election finances process." He felt that his hands are tied in dealing with those third party participants, and he felt that was not necessarily a thing that enhanced the democratic process in Ontario.

He asked, "First, should Ontario adopt third party spending limits? Currently, Ontario has no spending limits. In comparison, there are third party election advertising limits in other jurisdictions. Federally, a third party is limited to spending \$183,300 in total and no more than \$3,666 in any one electoral district. In British Columbia, a third party is limited to spending \$150,000 in total and no more than \$3,000 in any one electoral district. In New Brunswick, a third party is limited to spending no more than 1.3% of the maximum amount a political party can spend if it runs a candidate in every electoral district. And in Quebec, a third party is limited to spending \$300 on issue advertising, and third parties may not advertise to directly promote a party or candidate.

"The second area of consideration is, should Ontario adopt third party contribution limits? Currently, no jurisdiction has contribution limits, but Alberta has just introduced a bill, Bill 205, that would limit a contributor to giving a third party for its advertising no more than \$30,000 in an election year and \$15,000 in a non-election year." That would still mount up to a fairly significant war chest for a third party advertiser to take part in.

Should Ontario try to limit third party advertising? He suggests in a rather long paragraph that he thinks there should be some limits, as other provinces have done. Then he gives a dissertation on the constitutionality of third party advertising. It's important that if there are limits placed on third party advertising, it be done in a manner that is fair and equitable and does not limit how and what they say. That's a very important part in the democratic process. As I pointed out earlier, there is a place in the democratic process for third party advertising. It has to be fair, equitable and transparent.

He suggests again that it is not his place to answer these questions—it was the committee's responsibility to do so—but he does point out that these are very important questions that other jurisdictions have turned their minds to, and he recommends that Ontario do the same. Again, it's a shame that this piece of legislation has come before the House and has not taken any stance whatsoever on this very important change in the electoral process that's taking place in Ontario.

Riding boundaries and fixed election dates: Fixed election dates are something that really needed some attention to be paid to it. A fall election doesn't make a lot of sense in Ontario, in my mind. First of all, you run a risk of interfering with the municipal elections, which happen each October now. They used to happen in November, but they now happen in the last week in October, I believe—and that's a good thing. But running a provincial election in the fall is, again, of questionable value. I think that people are far more likely to turn out if the election is held in the spring. If the government wants people to turn out for elections, which they say they do, then I think changing the election date from fall to spring would have helped to accomplish that to some degree. It's disappointing that that opportunity was missed, because these bills don't come along every year or two. The last one came along in 2005. It's now 2010. Updating election acts maybe happens every five years. Maybe it will be 10 or 15 years before we see another one. Missing this opportunity is too bad. It's an opportunity missed, and that's always a shame.

There are also a number of other parts of this bill. I won't go into all of them. The 2005 bill was hotly contested and didn't go as far as it should have gone in being fair and equitable for the people of Ontario. That, again, was a missed opportunity and it's something that's probably not going to come back for some time, and that's too bad.

1710

Perhaps if this bill went to committee, we could look at amendments to it, which might indeed add some

weight to it—to put in a boundary commissioner, for instance, or put in a part of the bill that would talk about third party advertising—and make it truly an equitable bill that would help the democratic process in Ontario, that would make it equal, that would bring it right up to date so that it was as good a process in Ontario as it is in five other provinces and the federal government, which have those regulations in place as we speak. It's always a shame, politically, when you miss those opportunities.

If I could summarize: The Election Finances Act, which is affected by this bill, has some good pieces in it. Again, it misses that third party advertising, but the estates, the electoral officer and the electronic database that it talked about, the broadcasting or transmission of election survey results that cannot be made available, official websites, registered parties—those are all positive things.

Also, the Election Act, which is also impacted by this bill with the elimination of enumeration and the maintaining of a permanent voters list: I think those are positive things.

There was a point in the last election when some of the polling stations that we had in the riding of Halton were so new that collecting those names for the permanent polling list was not possible, and they did send out enumerating teams to those polls. I think eliminating enumeration works well for 90%, 95% of Ontario, but for those ridings that have extremely rapid growth, such as the riding of Halton, I think that perhaps enumeration still has a value. It's too bad it was eliminated and not just mothballed so that it could be used in very special circumstances. That's perhaps another opportunity that was missed.

Also, the elimination of proxy voting, I think, is a positive thing, and the use of mail-in ballots can be a positive change to the election process in Ontario.

I think that concludes my comments on this bill, Madam Speaker. I thank you for your help and for listening to my dissertation.

I would like to encourage the government to take this bill to committee, to look at the opportunities to make it an even stronger bill, a better bill, by adding particularly those two parts to the bill, one of which deals with the boundaries commission. I don't know why Ontario should be the only province in Canada without a boundaries commission, particularly when we're setting boundaries.

Mr. Michael A. Brown: It's because you guys passed the law.

Mr. Ted Chudleigh: I see the member opposite wants to add a boundary commission and I would encourage him to do so. At least read the piece of legislation and maybe you'll find out that it's not in there.

The second piece that I'd like to see in the legislation is of course some control on third party advertising that would make it transparent. I'm not trying to do away with it; I'm trying to make it part of the process so that it's fair, transparent and equitable to everybody involved in the election process.

With that, Madam Speaker, thank you very much.

The Acting Speaker (Mrs. Julia Munro): Questions and comments?

Mr. Michael Prue: I listened intently to the member from Halton as he spoke for some 50 minutes and what he had to say. He said at the beginning, he said in the middle and he said at the end that his three primary concerns were the boundaries commission, third party advertising and election financing.

To deal with each of the points that he tried to make—and I do agree with the member from Algoma-Manitoulin: The reason that we don't have a boundaries commissioner is that the Harris government did away with the boundaries commissioner under the Fewer Politicians Act. Ontario became the only province and the only jurisdiction in Canada that doesn't set its own boundaries. We even give the city of Toronto the authority to set up its own boundaries, but we don't do it ourselves.

I don't entirely blame the Harris government because this government has been here now for six plus years and could have done something and should have done something to make the law better. We cannot pretend in Ontario that we have fair boundaries when we have such disparities. We should not have adopted the federal in the first place because of the plus and minus 25% rule they have, trying to accommodate a land that is as broad as Canada with jurisdictions like Inuvik in the Northwest Territories and the Yukon with huge, vast swaths of land. They have to do it. We don't have to have a plus or minus 25% rule in Ontario, yet we follow them.

He also talked about the third party advertising. I am in agreement with what he had to say, but his whole talk around election financing did not hit the issue, and that is that the election financing laws in Ontario are very unjust and have not been dealt with in this bill. I intend to speak to that when it comes to my turn.

The Acting Speaker (Mrs. Julia Munro): Further comments and questions?

Mr. Ted McMeekin: This is Kindness Week, at least until sundown, so I want to be gentle as I respond.

I want to say at the outset there is a rather well-known American political commentator who once observed that those who hold their elected officials in contempt will not long respect themselves. I think that's true and I think this act is about setting out, not in any complete way but certainly in a rather pronounced way, to focus on the issues of trust and integrity with respect to municipal elections. Quite frankly, while I found much of what the member from Halton said to be intriguing, and some of it I even agreed with, I think it's important that we do move forward inasmuch as we have set out through a select committee of the Legislature, which came to a broad-based agreement on most of the principles in this way. I'm certainly proud that our government has moved forward.

I found it interesting. The conversation around the Working Families Coalition being in apparent collusion with one political party seemed a little difficult to gulp.

Third parties support any party. There weren't too many that supported your party in the last election, I noticed, but that would be to go down another road.

I think the whole issue of modernizing the election process with mail-in ballots, special ballots, particularly post-secondary students having an opportunity to get engaged at the universities they're at, is very progressive. I note that the member noted some of those things.

The Acting Speaker (Mrs. Julia Munro): The member for Simcoe–Grey.

Mr. Jim Wilson: Certainly the Working Families Coalition is a front for the Liberals. You'd have to be from Mars to have missed their message. In 2003 the message was, "Not this time, Ernie," in a million dollars' worth of TV, radio and print ads—or a little more than a million the last time in 2007. In 2007, I recall in their TV ads they had about four different versions, and they were actors, saying, "Oh, I'm a school teacher and I remember how horrible it was during the Mike Harris era."

Who benefits from that solely? It's the Liberal Party of Ontario and it's the usual culprits who have never supported my party anyway, that I can recall in my 20 years, because they like to run the school system, they like to run the trades system; they like ratios the way they are in our trades. They include the Ontario English Catholic Teachers' Association; the Canadian Auto Workers, who obviously don't speak for their members because we win in Oshawa; Ontario Secondary School Teachers' Federation; International Brotherhood of Boilermakers, Local 128; International Brotherhood of Electrical Workers; millwrights; International Union of Operating Engineers, Local 793; painters district council 46; Ontario Pipe Trades Council—and those are the ones they know of. They raised \$1.4 million prior to the last election during the writ period because we have no control or caps on spending by third party coalitions like this. They spent a million dollars, all in your favour. That's a million dollars that you didn't have to account for under the campaign spending limits.

1720

So it is a front for the Liberal Party of Ontario. For some reason, we can't get the commission to deal with it. We can't get the Chief Electoral Officer to deal with it. He's got no spine in this area. Almost every other province limits third party advertising to make it fair, and that's all we're asking for in this bill.

The Acting Speaker (Mrs. Julia Munro): Thank you. Comments and questions?

Mr. Bob Delaney: These proposals are based on the recommendations of the Select Committee on Elections, which, of course, included members of all three parties. What they intend to do to make a difference for those who live in communities like mine in Mississauga and communities like Lisgar, Meadowvale and Streetsville is to enable more people to be able to exercise that franchise.

These are proposals that I think really do need some exposure in committee, but there are some in there that I think are really worth a serious look. For example, for

many of those who choose to spend the winters in Florida, the proposals here allow you to exercise your ballot franchise should you be vacationing in Florida or anywhere else at the time an election is called. I think that's a good way to enable people, to empower people to be able to exercise their vote.

At present, about the only way for people to exercise that vote is by proxy. The difficulty in that is that it doesn't maintain ballot secrecy or confidentiality. Really, by giving someone the ability to vote by proxy, they may or may not vote the way you've asked. All you've done is given them the ability to vote on your behalf. So Ontario is alone among the federal government and other provinces in that at the moment it does not permit this type of special ballot for any part of the electorate.

The other part about it that I really like is with regard to municipal elections, moving them from November into October so that candidates don't have to worry about vandalism of signs and whatnot that happens so often around Halloween. With a municipal election coming up this year in October, I think we're going to see the benefits of that type of good-sense move.

The Acting Speaker (Mrs. Julia Munro): The member from Halton has two minutes to respond.

Mr. Ted Chudleigh: Thank you, Madam Speaker.

The member, Michael Prue, for Beaches–East York—Beaches–East York?

Mr. Michael Prue: Beaches–East York.

Mr. Ted Chudleigh: The member for downtown Toronto there someplace: Yes, he's quite right. We did cancel a boundaries commission. But in context, we cancelled the boundaries commission because we made all of our ridings coterminous with the federal ridings in Ontario. To eliminate confusion from people as to which riding they lived in, we made those ridings the same.

Then the provincial Liberal government came along in 2005 and gerrymandered the north so that the northern limits no longer matched the federal ridings. They wanted to maintain 11 seats in the north, of which they took a disproportionate part. So it was a gerrymandering of those seats, and once that happened, it required a boundaries commissioner to be put back in place, because otherwise it's just acts of this House or orders in council that change those boundaries, and that's eminently unfair to the people of Ontario. It's eminently unfair. It's unfair on the surface. Anybody understands that it's unfair; anybody who looks at it knows it's unfair.

It's the same with third party advertising. When it's not controlled, when it operates outside the election process, when it's not transparent, it's eminently unfair.

Those two things should have been addressed in this piece of legislation, and they weren't. That's a sad day for Ontario. There is much good in this bill, but there are two things in this bill that are sadly lacking, and that is a great shame. We missed this opportunity. Another opportunity won't come along for a long time. I would suggest that perhaps both of those issues were missed because of political opportunism, and that's a sad day in Ontario.

VISITORS

The Acting Speaker (Mrs. Julia Munro): I beg the indulgence of the House at this time to introduce two individuals in the east members' gallery: Liam Gadbois and Kylie Filion, both former students of the member for Stormont-Dundas-South Glengarry.

ROYAL ASSENT

SANCTION ROYALE

The Acting Speaker (Mrs. Julia Munro): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor was pleased to assent to certain bills in his office on December 15, 2009.

The Clerk-at-the-Table (Ms. Lisa Freedman): The following are the titles of the bills to which His Honour did assent:

Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters / Projet de loi 168, Loi modifiant la Loi sur la santé et la sécurité au travail en ce qui concerne la violence et le harcèlement au travail et d'autres questions.

Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories / Projet de loi 175, Loi visant à accroître la mobilité de la main-d'oeuvre entre l'Ontario et les autres provinces et les territoires du Canada.

Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters / Projet de loi 177, Loi modifiant la Loi sur l'éducation en ce qui concerne le rendement des élèves, la gouvernance des conseils scolaires et d'autres questions.

Bill 179, An Act to amend various Acts related to regulated health professions and certain other Acts / Projet de loi 179, Loi modifiant diverses lois en ce qui concerne les professions de la santé réglementées et d'autres lois.

Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches / Projet de loi 185, Loi modifiant la Loi sur la protection de l'environnement en ce qui concerne l'échange de droits d'émission de gaz à effet de serre ainsi que d'autres instruments économiques et financiers et approches axées sur le marché.

Bill 187, An Act to amend the Technical Standards and Safety Act, 2000 and the Safety and Consumer Statutes Administration Act, 1996 / Projet de loi 187, Loi modifiant la Loi de 2000 sur les normes techniques et la sécurité et la Loi de 1996 sur l'application de certaines lois traitant de sécurité et de services aux consommateurs.

Bill 196, An Act respecting the adjustment of the boundary between the City of Barrie and the Town of Innisfil / Projet de loi 196, Loi concernant la

modification des limites territoriales entre la cité de Barrie et la ville d'Innisfil.

Bill 203, An Act to allow for better cross-border policing co-operation with other Canadian provinces and territories and to make consequential amendments to the Police Services Act / Projet de loi 203, Loi visant à permettre une meilleure coopération avec les autres provinces et les territoires du Canada en ce qui concerne les services policiers transfrontaliers et à apporter des modifications corrélatives à la Loi sur les services policiers.

Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d'autres lois.

Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000 / Projet de loi 210, Loi visant à protéger les étrangers employés comme aides familiaux et dans d'autres emplois prescrits et modifiant la Loi de 2000 sur les normes d'emploi.

Bill 212, An Act to promote good government by amending or repealing certain Acts and by enacting two new Acts / Projet de loi 212, Loi visant à promouvoir une saine gestion publique en modifiant ou en abrogeant certaines lois et en édictant deux nouvelles lois.

Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts / Projet de loi 218, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2009 et édictant, modifiant ou abrogeant diverses lois.

Bill Pr15, An Act to revive Allaura Investments Limited.

Bill Pr18, An Act to revive 1516495 Ontario Inc.

Bill Pr25, An Act to revive Cen-Tower Investments Limited.

Bill Pr27, An Act to revive Brismair Property Management Inc.

Bill Pr28, An Act to revive 1105481 Ontario Inc.

ELECTION STATUTE LAW
AMENDMENT ACT, 2010LOI DE 2010 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES ÉLECTIONS

The Acting Speaker (Mrs. Julia Munro): Further debate?

Mr. Michael Prue: I am here to debate Bill 231. At the outset, as I am wont to do, I always talk about what's good in bill and then I go on to say what could have been better, but there are some things in this bill which I think deserve some special mention.

The first is the special ballots. It is a good provision. The government, in its wisdom, brought forward this special ballot provision which will allow people to vote in a much more easy way.

The second one is the provision for students to vote either in their home riding or in the riding in which they are attending school in the province. That, too, is a good provision. It takes me back to my student days. I remember back in 1971 being a student at Carleton University and having just arrived there. There was a September election in 1971 and there wasn't time to get on the voters list in Ottawa. I had to hop on the train after I had been there only about a week, come all the way to Toronto, vote, get on the train and come all the way back. Some of my colleagues thought I was crazy, but I insisted. That was going to be my first election. You had to be 21. That was going to be my first election, and I was not going to miss it. So whatever that cost me on the train, all the way to Toronto and all the way back, I did that.

1730

It would have been good, had someone in those days thought about this provision allowing students to vote in either place, or having a provision that I could have voted by mail or something else. But there was no time to do it between the time that I arrived in Ottawa and the time that I had to come back. There was literally only a week. I wasn't a resident there for long enough in the period to be able to cast a ballot.

So I think it's a good provision. I wanted to stay and give you that little history about why I think it's a good thing for other students in a similar situation to the one I found myself in, nearly 40 years ago now.

The third item is the depoliticizing of poll workers. We all know that one of the things is that the government, or the government party, gets to appoint poll workers in every single riding across the province. That would be hundreds of people who would get work for one or two or three days and then would be in some ways beholden to the government or thankful to the government or party members of the government or whatever, for whatever reason they got appointed.

The opposition parties would luck out if they had won that particular poll or if they had run second to a government member, and they would get an opportunity to appoint some people as well. If you had the misfortune of being, say, a Conservative in Beaches-East York who runs third, then you wouldn't be able to have that largesse passed on to the people who supported you.

Interjection.

Mr. Michael Prue: No, that was the case in the past. I'm not saying that will be the case forever. I'm being brutally honest. This is what sort of happens. Although I won the poll, won the riding, the Liberals would appoint them and the NDP would be given a few people. But this is going to be depoliticized.

I think this is an important event and it's not just to have people from your party sent over and put on the list to get some work for a day or two days. It is important that the public sees this as a non-political and almost a civil servant job.

I am thankful that this has been included in here, and it needs to have happened. It has taken so many years for

this very minor, I would think, amendment to take place so that people will be picked by the Chief Electoral Officer or the Chief Electoral Officer's assistants, and they will be picked on the basis of merit, of their being able to handle the job properly and to do it right. That's really all that the voters are looking for. So I am thankful that that is included in here.

When I spoke earlier, I also said that this bill is a fairly minor bill because it doesn't attempt to accomplish much. Yes, those three things are important, but there are so many things wrong with the electoral process in Ontario, which could have been mitigated, could have been dealt with by legislation, that have been left out.

I listened to my colleague from Halton. We don't see eye to eye on a lot of things, but he talked about the things that he thought were left out that were important, and they were important. Why is it that Ontario continues to not have legislation on third party advertising? He's absolutely right. This was talked about in the committee, but nothing is in the government bill. Why was there nothing on the changes to electoral financing? This could have been in the bill as well.

Before we recessed back in November, I remember standing in the House and asking the then Minister of Municipal Affairs why he wasn't taking appropriate actions, or what I thought were appropriate actions, in what is euphemistically called the city above the law, also known as the city above Toronto, also known as Vaughan, with all the things that were happening there. He responded in the House and he went outside later and responded, "How are we going to change the election finances for municipalities if we're not going to change it for ourselves?"

He acknowledged that the election finances for municipalities are not what they're supposed to be. It has caused innumerable problems across Ontario, and I think, unfortunately, Vaughan is the poster child of all of those problems. Just this week, I saw in the paper two more things that have happened to that poor unfortunate city, that poor unfortunate council. The mayor has been again cited in the courts, her appeals have been overturned, and she's facing all of those charges, notwithstanding.

There was also the unfortunate incident of a developer taking some of the key planning and bylaw enforcement officials from the city of Vaughan to a very lavish lunch. Unfortunately for the developer and for the officials, a person in the community got a copy of the bill for the lunch. Notice the bottles of *riposso*—nice vintage, by the way—notice the liqueurs, the dinners and the \$1,000 bill that came feting these civil servants. The city of Vaughan has had to take the appropriate action.

The reason I'm bringing all this up is not so much to talk again about the city of Vaughan, but about the then minister saying that he could not change or would not change the laws for municipalities because the province had not seen fit to make the changes for itself. That's what I want to talk about in part today, why this should have been included within the four walls of this particular legislation.

The bill could have adopted reforms. It could have adopted the reforms that have taken place in most of the other provinces of Canada, certainly our neighbours to the east and west, Quebec and Manitoba. It could have adopted the reforms that have taken place by the government of Canada, it could have adopted some of the reforms that have taken place in Saskatchewan, but this government chose not to make reforms.

This would have been the most meaningful, most important, most cogent thing that the government could have done. Today in the province of Ontario, in provincial elections, corporations donate more than 40% of all of the monies raised and spent during elections. Now, you have to question yourself: Is this a good thing? Certainly the government of Canada no longer allows it. In the province of Quebec, they no longer allow it. In the province of Manitoba, they no longer allow it. But here in Ontario, we don't talk about it. It doesn't come into the bill because that's not important enough, I guess, to be talked about.

We know in the last election that both the Conservatives and the Liberals got more than 50% of their money from corporate donations related to the election; we know that. It's a matter of public record. That's where the money comes from. For people who look at democracy—people from Democracy Watch, they're worried about that, I'm worried about that, but obviously the government is not.

We know in terms of the NDP, and I'll be very blunt, we get money from unions, probably a disproportionate share—not all of it, but that amounts to some 5% of everything that is raised, about 10 times less than the money that is raised corporately. We don't get it all. Contrary to popular view, the Liberals gets a fair share, a fair hunk of it. The Conservatives I don't think get very much at all, but that's the reality. That's just really what is happening around this.

We know that corporate donors are quite explicit about why they give the money that they do. They want to shape government policy, and access to politicians to press their views. One of my favourite quotes comes from a Liberal donor by the name of Silvio DeGasperis. He was asked why he attended a \$10,000-a-plate Liberal fundraiser put on by his colleague and friend Mr. Sorbara. He said bluntly, and I quote him, "I wanted to speak to Dalton about my development issue in Pickering. I knew the reason I was there." We know that.

Is there anything in this legislation dealing with that? Does anybody over there not think that this is somehow wrong? Does anybody think that the legislation shouldn't try to mirror what is happening federally and provincially in Quebec and Manitoba? Because it's not here in the bill.

We also know that political parties have grown overtly dependent on corporate donations and, in chasing big corporate donations, have ignored average citizens, a fact that has been noted by even corporate titans like former Royal Bank CEO Robert Taylor. I quote corporate titans: "Financially effective as it may be, the current system of

corporate fundraising doesn't help with (the) broader purpose (of) continuing the democratization of our politics"—CEO Robert Taylor, the Royal Bank.

1740

Corporate donations allow CEOs and majority shareholders to donate money two ways, through both corporate and individual donations, while average citizens can only donate as individuals. This makes donation limits unenforceable and, ultimately, farcical.

When I have questioned this in estimates, when I have questioned this in the House over many years, I never get a response. I never get anyone wanting to look at it to change it. The committee led by the member from Vaughan, Mr. Sorbara, looked at this. It was an all-party committee. Although it was an all-party committee, there were two dissenting reports. You've heard about the Conservative dissenting report. The NDP dissented primarily on this issue because we believe, in the province of Ontario, the time has come to give democracy back to the citizens, to make the citizens the people who actually count during an election—not who can raise the most corporate funds, not who can raise the most union funds, but citizens donating and participating in the electoral process. That is the only way we are going to increase participation, when citizens believe that they are part and parcel of the democratic process and that it is not being manipulated by other interests.

My colleague from Halton talked about third party interests and the expenditure of \$1.2 million on third party advertising. That's true, and it's unfortunate. But nothing is being done about that, and nothing is being done about the even wider, broader and more horrible issue, that big money is controlling the elections and what people are able to see. It controls the airwaves. It controls the amount of money that can be spent on television and radio and newsprint advertising. It controls who can and who cannot run for election with reasonable expectation of being elected.

We know that public financing would go a long way. If you look at what the other provinces do and the federal government does, that should be the template, the model for what we should be doing here in the province of Ontario.

The federal government gives 50% reimbursement to any party that gets 2% nationally or 5% in each district. So if you run a party and you get 5% in, say, eight or 10 ridings, then those eight or 10 ridings would be eligible for a rebate. If you run, as the Green Party did, and get more than 2%, as they did in the last election, you would be eligible for a 50% rebate, on the reimbursement of the amount that you spent nationally. This goes a long way because, at the same time, the federal government saw the necessity—and no one is allowed to make contributions on a corporate or union level anymore, only contributions from individuals, and those contributions have to be small. They're limited to \$1,000. If you contrast that to Ontario, where each person—I looked at this in awe, in shock and disbelief, and I wonder how many average citizens can afford to do this.

In Ontario, contributions from unions and corporations are allowed, and the limit from a person, a corporation, or a trade union is:

(1) to each party, \$7,500 per year times the indexation factor;

(2) to each constituency association, \$1,000 per year times the indexation factor;

(3) to constituency associations of any one party, \$5,000 per year times the indexation factor;

(4) to each candidate, \$1,000 per campaign times the indexation factor;

(5) to candidates endorsed by one party, \$5,000 total per campaign times the indexation factor.

And you think for a moment that corporations aren't buying this place? You think for a moment that big money doesn't do a lot of talking around elections? The people here who craft this legislation and stand up proudly talk about the students—a good thing; they talk about the disabled—a good thing they're thinking about that; they talk about other factors, but never once mention how much money is being raised by corporate donations, and the influence. Where is an ordinary citizen going to be able to come up with the \$30,000 or \$40,000 or \$50,000 a year to match what big corporations are giving to governments, usually governments in power?

Interjection: Can't do it.

Mr. Michael Prue: It can't be done.

In Quebec—the Quebec model is similar to the national one—they give back 50% if you get 1% of the vote, up to a maximum of 60% per elector. Manitoba has a law where you get 50% of the money back if you get 10% of the vote across all of Manitoba in an election. Saskatchewan has a similar law: 50% back if you get 15% across the whole of the province.

When they won't allow for corporate and union donations, it gives an opportunity for ordinary people to participate and for parties to get back the remaining monies, should they be successful in getting 2%, 1%, 10% or 15% of the vote in their respective jurisdictions. That's what needed to be in this bill. That's what was not contained within the body of the bill.

The member from Brant spoke and asked me why I thought it was such a minor bill. I think it's minor because it doesn't hit the key issue. The key issue is money and how the elections are being held. If you want people to be involved in the process and feel they're part of the process, they have to feel that they are contributing to it, not that it's being bought by someone else, not that it's being funded by someone else, not that their \$50 or whatever they want to donate to the process is not going to be enough. Ordinary people have to think, "This \$50 is absolutely essential to the process and to my candidate, and I want to donate it," not thinking the \$50,000 that corporation X is going to give is going to do the whole thing. That's not what democracy is about. In my view, and I think in many people's view, the fundamental failure and the declining level of people voting, most of it, comes from this.

I think we need to look too at what's not here in the bill, and that's real-time disclosure of where the money comes from. It's ingenious, what's done now. If you give more than \$100, it's supposed to show up on a website, and it usually does, within 10 or 15 days, in accordance with the act, although the act says 10. Sometimes it does take a little longer; I understand that. Monies that are donated end up on the website. But people are very smart, because they've started giving money to riding associations. Then the riding association funnels it back to the party, and that way it doesn't have to show up on the website. People are asking why that can't be controlled. This all-party committee sat around and they heard this idea. I think it might have even been one of the recommendations, but it didn't make it into the bill.

I heard the minister talk about citizens' juries and, you know, the great idea. Yes, it was a great idea. The citizens' jury sat there and did, I think, a bang-up job talking about proportional representation and a new system. But they were hamstrung from the beginning.

I remember standing in this Legislature when the then minister stood up and talked about the citizens' jury and how this was all going to unfold, and put an impossible condition on it, a condition that it was going to have to get the support of 60% of the electorate, and then a double condition, that it was going to have to take 50% in at least 64 of the ridings. This is untoward. This doesn't happen anywhere else in the world. The only other place it ever happened was in British Columbia, and in two attempts to change the electoral boundaries and the electoral map and the way that people are elected to the House in British Columbia, it failed both times on that ground, the first time narrowly, the second time more substantially. But they set conditions that are too high. What is the matter with a referendum where the winner gets 50% plus one on a clean and clear question? There's nothing in the bill about this. There's no sense empowering citizens' committees to go out and do the kind of work that that one did and then putting an impossible condition.

I know that the woman who was representing my particular riding came and said there was quite a discussion that the citizen representatives had around this issue. They felt disheartened from the beginning and that what they were doing was probably all for naught because of the impossibility and the setting of the standard so high that citizens would not be able to meet it; that there is always a reluctance to change, and that change, when it comes, is usually imposed by the narrowest of margins; and to set the value at 60% plus 50% in at least 64 of the ridings made many people very unhappy about doing this.

1750

I have to tell you that I did vote against the legislation. I voted against what this House imposed. It imposed it with closure. That's how democratic it was: It was imposed with closure against the opposition, because the opposition saw, quite rightly, that it was impossible.

Just so that the members opposite might know, everybody thinks that it was an unfair law in spite of the good

work done by the jury. The double standard in terms of setting such a high bar was put nicely by Fair Vote, which said:

"No government raises the bar for its own legislation, which often has far-reaching effects on the lives of Canadians. No politician has ever refused to accept a seat in Parliament or a provincial Legislature due to the failure to win 60% of the votes—many gladly take their seats despite winning less than 50% or even less than 40% of the votes in their ridings. In fact, thanks to the current voting system, most 'majority' governments in Canada gain power without winning a majority of votes."

So, if we ever set up a citizens' jury again with this legislation that you have seen fit not to change, I would hope that a government of the day has the moral and legal authority to come to a different conclusion in spite of the law not being changed and the 60% remaining on the books.

Next, I'd like to talk about enumerations, because not much has been done around the issue of enumerations, and in fact they appear to be redundant. I would suggest that enumerations are absolutely essential in a great many places in Ontario. If you live in an apartment building, particularly in urban Ontario—Toronto, Hamilton, Ottawa—then you're going to find that people change apartments very often. The list of people who are supposedly living in that apartment unit that is obtained through city hall is woefully inadequate. In fact, people change apartment units a little over once a year on average in many of the buildings in Toronto. About once a year there's a wholesale change. There are changes and changes, and the person you thought was living there at the last election four years before has been replaced not once, not twice, but sometimes three and four times.

The enumeration process was a good process and ought to be followed in places like apartments. I do acknowledge that if you live in a house, if you own the house in which you live, city hall has a pretty good record, but if you live in an apartment building, if you live in any kind of housing that might be considered transient, if you're a student, I can guarantee you, you're likely left off the list.

I had the opportunity on election night in the riding of Toronto Centre to be in one of the downtown polls and to watch. The turnout was abysmal. It was less than 20% in the particular poll that I was watching. But the number of people who were forced to come in and swear, do all the documentation and run out and try to find a bill or something to confirm that they were living in a particular unit was very large, and so many of them had been left off the list. Thanks to most of those who showed up—they were eager, they wanted to vote. They went back out to get the necessary papers and came back. Had they not done so, the turnout would have been even lower.

I think it behooves this province to do enumerations in special circumstances. We need to know how many people are living there, especially if we're trying to determine how much money can be spent by the candidates and in order to make sure that they are fair.

I want to talk a little bit about committees, too, because one of things that was discussed in the Sorbara select committee was how to make committees within this House fairer.

One of the things that they discussed and one of the things that is not contained in the bill is what to do with private members' legislation.

I know that in the House of Commons in Ottawa that has just prorogued, with much consternation to the general public and editorialists across the country, they protect private members' bills. They don't protect government bills in the case of prorogation because prorogation is up to the government in power and generally to the Prime Minister, so that if the Prime Minister chooses to prorogue, he cannot expect his bills to survive the prorogation. But the legislation in Ottawa allows that the private members' bills go through and that they remain on the order paper to be dealt with in the subsequent session of the Parliament. There's nothing that's been done here. I don't know why in this place you have to stand up after every prorogation and reintroduce your bill.

I know I have had a bill that's been debated three times. Twice it's gone through committee and been successful. I know if this House is prorogued in a couple of weeks, it's going to be lost and I'm going to have to stand up and introduce it for the fourth time. I don't understand why nothing was done by this committee to include this. It seems to me that if the government of the day decides to prorogue, then those bills should be protected—and not just their own government bills, which they are wont to do.

Lastly—I have a long dissertation; I don't know if this is an appropriate time—I want to talk about the lack of action around people with disabilities. Although the minister did talk about what was done for people with disabilities to make it easier for them to vote, I don't believe it was enough. As the NDP disabilities critic, I do want to spend some time. So if this is an appropriate time, I would sit down and hold that piece altogether for the next opportunity.

Second reading debate deemed adjourned.

The Acting Speaker (Mrs. Julia Munro): Pursuant to standing order 38, the question that this House do now adjourn is deemed to have been made.

ADJOURNMENT DEBATE

HOSPITAL SERVICES

The Acting Speaker (Mrs. Julia Munro): Pursuant to standing order 38(a), on December 7, 2009, the member for Halton gave notice of his dissatisfaction with the answer to his question given by the Minister of Health and Long-Term Care covering the expansion of Milton hospital.

Pursuant to standing order 38(b), the member for Halton has up to five minutes to debate the matter, and

the minister or parliamentary assistant has up to five minutes to respond.

The member for Halton.

Mr. Ted Chudleigh: It was just before Christmas, just before we adjourned, that I asked the Minister of Health about the expansion of the Milton hospital. The hospital was built at a time when the Milton community was 30,000 people. Today, the Milton community is 90,000 people. They have had an expansion program in place for some time, and I have asked the Minister of Health from time to time in this House when that expansion is going to move forward and take place.

The minister, in her response to me, said, "I just am a bit puzzled, because when we came to office in 2003, there was a tremendous pent-up demand for" hospitals. That is the part of her answer that was so unfair, because in 2001—and I'll give the minister a little history lesson here—the expansion of the Milton and Oakville hospitals began to take place. The business plan for those two hospitals was initiated. About 10 months later, those business plans were completed and they were both accepted by the Minister of Health. Those two hospitals were moving forward, Milton and Oakville, in concert.

In 2002, the sizing process—that's the next study that takes place in the creation of a new hospital—began to occur. That is when the size of the hospital is determined. All that was taking place in early 2003. The land for the Oakville hospital was designated. It wasn't completely transferred, but it was designated. The Oakville hospital and the Milton hospital were moving forward.

In 2003, the Liberals took power and they immediately shut down that process, so that the growth of those two hospitals, in two of the fastest-growing communities in Ontario, was stopped. The Oakville hospital didn't recommence the process until 2005.

1800

The Milton hospital didn't recommence the process—Milton, the fastest-growing town in Canada—until 2007, and then they didn't start where they stopped in 2003. They had to start again, with a business case. The delay has moved that hospital back so that it will be 2014 before it's going to be completed, if they move forward with it today.

The problem they had is that if we had continued the 2001 time schedule, when we initiated the growth of the Oakville and Milton hospitals, both those hospitals, the redeveloped Milton hospital and the brand new Oakville hospital, would have opened in 2009. They would have been operating today. Today, both those hospitals are hopelessly under capacity. There are more babies from Milton born outside Milton than are born inside Milton, because the hospital is so underfunded and small in size.

The planning process is just totally inadequate. The minister obviously just doesn't understand this, given her answer that it's too bad it wasn't done when we were in power. Well, we were doing it when we were in power, and it would have been open today if the Liberals had followed the time schedule that we had.

It's unfortunate that they didn't. It's unfortunate for the people of Halton. It's unfortunate for the people of Oakville, because that hospital in Oakville has been delayed three years. It was delayed two years initially, and then the Liberals took a year off on the Oakville hospital because they had no construction capacity. They had no construction capacity for the Oakville hospital; they were sending trade missions to the Middle East with construction companies on those trade missions, and yet they said there was no construction capacity in Ontario. Boy.

The people of Halton don't believe that, and the people of Halton are going to see to it in the next election that the Liberals reap the benefits of the decisions that they failed to make in an appropriate manner for the health care of the people of Halton in the past six and a half years.

The Acting Speaker (Mrs. Julia Munro): Response?

Mr. Bas Balkissoon: I just would like to state that when our government came into office, everyone knows that there was a massive health infrastructure deficit across the province of Ontario after many years of neglect and spending cuts by the previous government.

Our government introduced ReNew Ontario, a five-year, \$30-billion infrastructure plan which has seen over 100 major hospital projects get under way. This includes the Oakville-Trafalgar hospital, the largest redevelopment project in Ontario's history.

The new Oakville hospital will be a state-of-the-art facility. It will include a full range of health services, such as complex continuing care, rehabilitation and acute care. The primary acute in-patient site for Oakville will also offer secondary- and tertiary-level programs with a special focus on rehabilitation and geriatrics. This massive redevelopment will serve the Halton community.

We know there is more to do. That's why we are committed to a 10-year, \$60-billion infrastructure plan to continue the investments we've been making.

We look forward to working with the LHIN and the hospital on the proposal of the Milton site redevelopment.

In addition to the progress we've made on infrastructure, we've also made substantial investments in hospital funding. We've increased funding for hospitals by 42% since this government took office. We've increased funding to Halton Healthcare Services by \$75 million in base funding. That's a 70% increase since we took office. Halton has also benefited from funding for our aging at home strategy, receiving \$94 million over four years. We'll continue to invest in health care in Halton to ensure residents can get access to the care they need as quickly as possible.

I do commend the member for his advocacy on behalf of his constituents, but I would have to suggest he consider his party's own record when it comes to health care. His party cut \$557 million from hospital funding in their first two years in office. Halton Healthcare Services was cut by nearly \$2 million. This is quite the contrast against the \$75 million this government has invested in

Halton Healthcare Services. In fact, Halton was affected in many ways by the Conservative Party's approach to health care. For example, the number of doctors per person declined by 15% in Oakville and 18% in Burlington during their time in office. Their inaction on medical school spaces and internationally trained physicians affected Halton negatively.

Health care is a priority of our government, and we will continue to invest and get results for Ontarians.

The Acting Speaker (Mrs. Julia Munro): There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until tomorrow at 9 a.m.

The House adjourned at 1806.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough–Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Brotten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, M. Aileen (LIB)	Barrie	
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Tourism and Culture / Ministre du Tourisme et de la Culture
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Education / Ministre de l'Éducation
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
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Continued from back cover

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

City of Vaughan	
Mr. Peter Shurman	9272
Affordable housing	
Mr. Glen R. Murray	9273
Agriculture industry	
Mr. John O'Toole	9273
Family Day	
Mr. Lorenzo Berardinetti	9273
Ambulance service	
Mr. Ted Arnott	9274
Long-term care	
Mr. Khalil Ramal	9274
Aboriginal affairs	
Mr. Howard Hampton	9274
Kindness Week	
Mr. Yasir Naqvi	9274
Green power generation	
Mr. Wayne Arthurs	9275
Tabling of sessional papers	
The Speaker (Hon. Steve Peters)	9275

REPORTS BY COMMITTEES / RAPPORTS DES COMITÉS

Standing Committee on Government Agencies	
The Speaker (Hon. Steve Peters)	9275
Report deemed adopted	9275

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

British Home Child Day Act, 2010, Bill 241, Mr. Brownell / Loi de 2010 sur le Jour des petits immigrés britanniques, projet de loi 241, M. Brownell	
First reading agreed to	9275
Mr. Jim Brownell	9275

MOTIONS

Committee membership	
Hon. Monique M. Smith	9275
Motion agreed to	9276
Private members' public business	
Hon. Monique M. Smith	9276
Motion agreed to	9276

STATEMENTS BY THE MINISTRY AND RESPONSES / DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Aboriginal rights / Droits des peuples autochtones

Hon. Christopher Bentley	9276
Mr. Ted Arnott	9277
Mr. Gilles Bisson	9277

PETITIONS / PÉTITIONS

Health care	
Mr. Norm Miller	9278
Cemeteries	
Mr. Dave Levac	9279
Doctor shortage	
Mr. John O'Toole	9279
Cemeteries	
Mr. Jim Brownell	9279
Pension plans	
Mr. Jim Wilson	9279
Cemeteries	
Mr. Jim Brownell	9279
Taxation	
Mr. Jim Wilson	9280
Social services funding	
Mr. Bob Delaney	9280
Children's aid societies	
Mr. Jim Wilson	9280
Cemeteries	
Mr. Jim Brownell	9280

ORDERS OF THE DAY / ORDRE DU JOUR

Election Statute Law Amendment Act, 2010, Bill 231, Mr. Bentley / Loi de 2010 modifiant des lois en ce qui concerne les élections, projet de loi 231, M. Bentley	
Hon. Christopher Bentley	9281
Mr. David Zimmer	9282
Mr. Peter Shurman	9284
Mr. Michael Prue	9284
Mr. Lou Rinaldi	9284
Mr. Ted Chudleigh	9285
Mr. Dave Levac	9285
Mr. David Zimmer	9286
Mr. Ted Chudleigh	9286
Mr. Michael Prue	9292
Mr. Ted McMeekin	9292
Mr. Jim Wilson	9293
Mr. Bob Delaney	9293
Mr. Ted Chudleigh	9293

Visitors

The Acting Speaker (Mrs. Julia Munro) 9294

Royal assent / Sanction royale

The Acting Speaker (Mrs. Julia Munro) 9294

Election Statute Law Amendment Act, 2010, Bill

**231, Mr. Bentley / Loi de 2010 modifiant des lois en
ce qui concerne les élections, projet de loi 231,**

M. Bentley

Mr. Michael Prue 9294

Second reading debate deemed adjourned 9298

**ADJOURNMENT DEBATE / DÉBAT SUR
LA MOTION D'AJOURNEMENT**

Hospital services

Mr. Ted Chudleigh 9299

Mr. Bas Balkissoon 9299

CONTENTS / TABLE DES MATIÈRES

Tuesday 16 February 2010 / Mardi 16 février 2010

By-election in Leeds–Grenville

The Speaker (Hon. Steve Peters).....9253

By-election in Ottawa West–Nepean

The Speaker (Hon. Steve Peters).....9253

By-election in Toronto Centre

The Speaker (Hon. Steve Peters).....9253

ORDERS OF THE DAY / ORDRE DU JOUR

Energy Consumer Protection Act, 2010, Bill 235,

Mr. Phillips / Loi de 2010 sur la protection des
consommateurs d'énergie, projet de loi 235,

M. Phillips

Mr. John Yakabuski9253

Mr. Gilles Bisson9260

Mr. Dave Levac.....9261

Mr. Toby Barrett9261

Mr. Bill Mauro9261

Mr. John Yakabuski9262

Second reading debate deemed adjourned9262

Introduction of member for Toronto Centre

The Speaker (Hon. Steve Peters).....9262

The Clerk of the Assembly (Ms. Deborah Deller) 9262

Hon. Dalton McGuinty.....9262

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Norm Miller9262

Mr. Peter Shurman9262

Mr. Michael Prue9262

Hon. Brad Duguid9262

ORAL QUESTIONS / QUESTIONS ORALES

Local health integration networks

Mr. Tim Hudak9262

Hon. Dalton McGuinty.....9263

Local health integration networks

Mr. Tim Hudak9263

Hon. Dalton McGuinty.....9263

Government's record

Ms. Andrea Horwath.....9264

Hon. Dalton McGuinty.....9264

Government's record

Ms. Andrea Horwath.....9265

Hon. Dalton McGuinty.....9265

Government advertising

Ms. Lisa MacLeod9266

Hon. John Wilkinson.....9266

Labour dispute

Mme France Gélinas9266

Hon. Peter Fonseca.....9266

Social assistance

Mr. Glen R. Murray.....9267

Hon. Madeleine Meilleur9267

Government's record

Mr. John Yakabuski9267

Hon. Brad Duguid9267

Hon. John Wilkinson.....9268

Mining industry

Mr. Gilles Bisson9268

Hon. Dalton McGuinty.....9268

Hon. Michael Gravelle9268

Northern economy

Mr. David Orazietti9268

Hon. Michael Gravelle9269

Health care

Mr. Norm Miller.....9269

Hon. Deborah Matthews9269

School closures

Ms. Andrea Horwath9270

Hon. Leona Dombrowsky9270

Wildlife management

Ms. Leeanna Pendergast.....9270

Hon. Linda Jeffrey9270

Agency spending

Mr. Jim Wilson.....9271

Hon. John Milloy9271

Health care

Mr. Paul Miller.....9271

Hon. Deborah Matthews9271

Promoting Ontario

Mr. Lou Rinaldi.....9272

Hon. Michael Chan9272

Correction of record

Hon. John Wilkinson.....9272

Continued on inside back cover



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Mercredi 17 février 2010



Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 17 February 2010

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 17 février 2010

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by the aboriginal prayer.

Prayers.

ORDERS OF THE DAY

ENERGY CONSUMER PROTECTION ACT, 2010

LOI DE 2010 SUR LA PROTECTION DES CONSOMMATEURS D'ÉNERGIE

Resuming the debate adjourned on February 16, 2010 on the motion for second reading of Bill 235, An Act to enact the Energy Consumer Protection Act, 2010 and to amend other Acts / Projet de loi 235, Loi édictant la Loi de 2010 sur la protection des consommateurs d'énergie et modifiant d'autres lois.

The Speaker (Hon. Steve Peters): Further debate?

Mr. Peter Tabuns: Good morning. It's my privilege—maybe not my pleasure, but my privilege—to speak about this bill. We've had presentations now by government and the official opposition on the bill and its provisions for the people of this province.

I would like to say first off that the bill is based on a continuation of practices based on a conception of how we deal with energy and electricity in this province that I think, at its heart, is faulty. It tries to apply Band-Aids in a situation where far more profound change needs to happen.

I'll talk first about the smart meter section of the bill, and then go on to talk about the door-to-door energy marketing. They are tied together, they are problematic, and frankly, this bill needs substantial revision. I hope that revision will be apparent in the course of committee hearings, and I hope the government will be open to substantial amendment so that in fact the people of this province get a fair deal, get the kind of energy and electricity services they deserve at prices they can afford.

I want to talk first about the section on sub-meters for tenants. When you look at the bill, you'll find that the actual content of most of the tenant "protections" in Bill 235 will depend greatly on the attendant regulations. Now, we don't have those regulations; we don't know exactly what will be in them. So to a great extent, for those who are concerned with this particular piece of

legislation, we don't know yet what you will or won't get when this bill is ultimately passed, as I expect this majority government will do.

The government has to actually ask the more profound question: Should it proceed with individual and smart metering in the multi-residential sector at all? I ask that question because there are a lot of different ways that one can come to grips with energy consumption, with conservation, with efficiency, dealing with the strategy that we have for energy overall. One broad tack that one can take is essentially throwing the burden on consumers and saying that they, in the end, will be the ones who will have to make all the necessary changes, make the necessary investments to reshape the way we deal with electricity. Frankly, I say that that is not a viable strategy. It's a painful strategy for those who have very low incomes, fixed incomes. But in terms of actually bringing about the change that's required, historically that is not the way things have happened.

I've had an opportunity in the last while to read books about technological transformations in other countries and in other spheres. If you look at the history of micro-processors, of the Internet, of commercial aviation, all very substantial technological and social changes, those changes weren't driven by driving up the cost of driving a car from one end of the country to the other; they weren't brought about by deciding that fax networks were inadequate. Those technological and social changes came about through investment by governments in strategic areas to substantially reshape the technical landscape, reshape the tools that were available to people and businesses, organizations, and it was that reshaping of the landscape that in fact brought about the development of the Internet, brought about commercial aviation. We have not seen a revolution in technology that has come about because we go after low-income tenants who have difficulty paying for the heating or cooling of their apartments, and we've decided that they, in the end, are going to be the ones who have to carry the burden.

In the early 1990s I had the opportunity, the privilege, to serve on Toronto city council, and worked on the whole question of energy efficiency for the city, its office buildings, its commercial buildings, its institutional buildings. The reality that we found time after time after time was that when we tried to get large commercial buildings in the city of Toronto to invest in energy efficiency and conservation, they had a substantial structural stumbling block. That was that the landlords owned the buildings and were responsible for capital investment, and the tenants paid for the electricity, paid for the

energy they consumed in their offices. Since they didn't have any control over the capital end of things, they weren't going to go around replacing their lighting; they weren't going to go around insulating the walls of their office buildings. What they did try to control was the demand for power for their desktop utilizations—their computers, their desk lights, things like that—not the core and really expensive costs of energy. So we found that this was in fact a huge obstacle. Those large buildings would invest in common-area changes, but weren't that interested in investing in areas where they never paid the energy bill—the electricity bill or the heating bill.

0910

We go to multi-storey apartment buildings. I've lived in multi-storey apartment buildings, and frankly it can be a pretty good way to live. But the reality is that most landlords who have concerns other than the immediate energy costs in their buildings don't spend a lot of time making sure that the outer envelope of the building—the walls, the windows—is as energy efficient as possible, and they don't spend a lot of time putting in high-efficiency appliances.

What we find here is a push for putting tenants on meters and leaving those tenants with units where the windows will leak heat in the winter and cool air in the summer. We'll find those tenants in buildings where the insulation in the walls is not adequate. We'll find them in buildings where it's hot on one side of the building, because of the way the building is positioned with regard to the sun, and cold on the other, with no investment in balancing energy flows from one side to the other.

If those landlords are completely freed from the cost of dealing with electricity, heating and cooling in those apartments, then their incentive to make those buildings energy efficient drops pretty close to zero. That's particularly the case at a time when there is a very low vacancy rate. They can then pass on all kinds of inconveniences to tenants with no concern that it's going to affect their bottom line. So if we want to make sure that apartment buildings all across Ontario are energy efficient and have the investment that's needed, moving the cost of energy from the landlords to the tenants is frankly a mistake.

Look at the consumption of energy in most homes: hot water, fridges, stoves, heating and air conditioning. Tenants don't bring their own stoves and fridges into these buildings. Hot water is generally supplied centrally. You may have a reduction in the length of time that people keep their televisions on, but it isn't going to change their whole approach to keeping their food cool in their refrigerator. Most people in apartment buildings don't have washers and dryers in their apartments; those are centralized.

So you are going to have some impact. My prediction is that for those people who live in buildings that are electrically heated, they, without the money to deal with the windows and the external skin of the building, the walls of the building, are going to cut back their heat so that they can afford electricity. In the summer, they're

going to cut back on their air conditioning so that they can afford electricity. And I'll say to you, having lived in an apartment that was oriented so it got an awful lot of sun in the summer, that it would have been extraordinarily difficult to be comfortable without having an air conditioner on—I don't think we got much below 30 degrees centigrade in my apartment, even with an air conditioner.

What this bill does with regard to those tenants is take the whole burden of energy costs, puts it on their shoulders and removes the incentives for landlords to make the investments that are necessary. I frankly think that what's needed is a large-scale investment in energy efficiency and conservation in multiple-unit buildings, with financing and incentives provided by government. I think a feed-in tariff makes lots of sense to spark investment in renewable energy; in fact, I think it should be replacing conventional energy right across the spectrum in this province. But let's take a similar idea and see how much we can get out of apartment buildings by providing an investment and incentive program to drive down energy consumption. If in the end what's left to tenants is the energy they use for their televisions, their radios and their desk lights, frankly, I would ask whether it would be worth the cost of installing and monitoring a meter, and billing for that on a monthly basis. I can't see the economic or the financial logic in doing that. It's logical if they're stuck with the heating and cooling costs—not fair, not efficient, not effective, but I understand why you could make that argument.

Now, when you actually look at the direction that we have to take—obviously, I've said that if you go forward on this basis, you have to have a focus on conservation and demand management programs for landlords and tenants. You have to have education and social marketing targeted at landlords and tenants, to give landlords and tenants the information that they need to reduce usage. It doesn't help a lot if you impose a meter on tenants and don't assist them in actually making the smartest choices they can among the limited number of options that are available to them to deal with the increased costs that will be on their shoulders. Frankly, coming back to this, if you don't have a program that drives down energy consumption in buildings, then you will be causing a huge disservice to tenants and to the environment. I don't believe that the drive that this government currently has to install individual meters and smart meters in the residential tenancy sector is actually going to give you the results you think you're going to get.

But again, it is going to be very difficult for us in this chamber responsible for passing these laws to know what we actually pass, because the regulations upon which the real action is going to rest aren't before us. That's a huge problem. That's a great difficulty for us, to make rational decisions when we don't know what the regulations are that will follow on. If, in fact, the government is determined to go forward and install individual meters in residential units in multi-unit buildings around this province, then it should look at what tenant advocates are talking

about when they look at this situation and when they talk about the implications of this bill going forward. They suggest a low-income rate assistance program must be implemented, because, to be honest with you, when you talk to a lot of tenants, when you talk to seniors who are living on CPP, a little old-age assistance, maybe some savings, their incomes are small; they are hard-pressed. And if you are actually going to go from the situation where in the past their rent included all of their electricity costs to a situation where they're going to get dinged, when they're going to have the whole cost of electricity for that building put on their shoulders without assistance, then the minimum that decency would require would be a low-income rate for those tenants so that they have some protection.

Tenant advocates—not just me—suggest a publicly funded, multi-residential conservation program to support energy retrofits in the multi-residential rental sector. Again, that's a minimum. If you're going to put this burden on tenants and take landlords out of the picture, then you have a responsibility to protect as many of those tenants as you possibly can. That means that you should, in fact, be putting in place the funding, putting in place the program to drive down energy consumption in those buildings. Tenant advocates recommend that the onus of proceeding with these projects is placed on landlords to apply to the Landlord and Tenant Board for permission to install suite meters, subject to their meeting stringent requirements. The burden shouldn't be placed on tenants to apply for rent decreases after the fact.

0920

I'm currently working with tenants in my riding at 25 and 80 Cosburn Avenue; we're dealing with a rent increase. I've been going door to door with tenant representatives talking to the current tenants about the rent increase and the impact it's going to have on their lives. I have to say, the reality is that tenants, like the rest of the population, have a lot on their plate at any given time. They are not property managers. They are not political organizers. They are not campaigners. They are people trying to live regular lives, lives in which going around and organizing politically is not something that's required.

The idea that in fact these tenants would have to fight for a rent decrease is completely unfair—completely unfair. If, in fact, this is going to go forward, it's going to have to be on the landlord's shoulders to actually put together the case, to provide the notification of rent decreases in advance and at least level the field between tenants and landlords in this kind of issue.

Now, there are concerns about the ongoing affordability of rental stock, and that draws us into the larger question of the electricity strategy of this government. I think the electricity strategy of this government is a crude and ineffective one. First of all, this is a government that has perpetuated the privatization of the electricity system that was started under the Mike Harris regime. That, in and of itself, speaks to higher electricity costs because the reality is that any operator is going to have to make

sure that a cut of their operation goes to paying a profit. There is going to be duplication of administration. There are going to be all the problems that we see with the private health care insurance system in the United States, which we have avoided in Canada through having a single-payer, publicly owned central insurance system.

That's the first mistake that this government is making with the electricity system. It didn't turn its back on the Mike Harris regime. In fact, it continues on a slow-motion basis to chop off pieces and pieces and pieces of the electricity system. Just before Christmas there were news reports about the hiring of Goldman Sachs and CIBC World Markets to look at large-scale sell-off, privatization, leasing—we don't know the mechanism yet of our electricity system, Hydro One and OPG. That is a massive mistake.

When we discussed the Green Energy Act—and a feed-in tariff has been a useful tool in a variety of countries—the government would not allow OPG to participate in the feed-in tariff. It doesn't have any problems with the Korea Electric Power Corp., controlled by the South Korean government, coming into this province and being the lead partner in a consortium to build renewable power. Apparently foreign publicly owned companies can participate in the renewables market in Ontario, just not Ontario-based publicly owned power companies.

So the first substantial error in the electricity strategy of the Liberals is to continue the electricity strategy of Mike Harris. That's the first problem. The second problem is that instead of actually looking at the electricity system and taking the advice from a variety of people who have good analytical ability, like the Pembina Institute, David Suzuki Foundation, David Suzuki personally, and investing in a very substantial way in energy efficiency and conservation to dramatically drive down consumption of electricity in Ontario, this government instead has had a policy of building gas-fired power plant after gas-fired power plant; very expensive power, hostage to natural gas prices; a strategy that means that transmission and distribution lines have to be built. So it isn't just a question of generation cost, but of all of the things that go with centralized power generation. And then this government decides that it has to stay stuck to its nuclear option.

It was interesting yesterday to hear the presentation by the Minister of Energy and Infrastructure talking about going forward with the refurbishment at Darlington and keeping the Pickering B plant going. The reality is that an ongoing commitment to nuclear locks us into high prices, overruns and delays. It means ultimately that the tenants who will be stuck with these meters are going to be paying more for electricity than they should.

Hon. James J. Bradley: I thought environmentalists liked higher prices.

Mr. Peter Tabuns: I find it interesting that some people will argue that high prices are a good strategy, and I want to address that because I think it's a very interesting argument.

Hon. James J. Bradley: Didn't you used to say that?

Mr. Peter Tabuns: No, I want to address that. The simple reality is that the transformation that takes place technologically in a variety of sectors takes place because new technologies are introduced that either allow for substantial change in the way things are done, allowing for productivity gains, or drive down costs. So the steam engine, when it was introduced, allowed substantial reductions in the cost of operating mines. That's why it spread rapidly. The introduction of microchips: Their spread went quite radically and quite quickly because they allowed the very rapid processing of information—initially very costly, becoming a very cheap way to process information.

In fact, I think that's the strategy that's needed: an investment in energy and conservation efficiency and investment in development of renewable technologies, so that efficiency, conservation and renewables become cheaper than conventional alternatives. A high-priced strategy simply to pay for the dying technology of the 20th century is not an intelligent strategy. It doesn't result in the investment that has to happen. In fact, it locks us into technologies that don't have a future, won't provide us with jobs and, frankly, cut off the money that's needed to invest in the future. That's where we have to go. Electricity costs increasing due to the strategies of the Liberals with regard to the electricity sector, that's part of the future. That's part of the future for tenants.

Under the current system of vacancy decontrol, there's no reason to think that shifting the responsibility to tenants to pay electricity bills will result in lower rents, particularly upon vacancy. Why wouldn't landlords take advantage of the opportunities that are presented to them? They don't run charities. I've met some very capable, intelligent, far-thinking landlords who have a 10-year or 20-year perspective on their building, but they are driven by the necessity of maximizing their profit, either in the short or the long term. They are not going to be maximizing that by driving down their rents. Thus, they won't be driving down their rents. This burden of cost is being put on the shoulders of tenants, and that's a mistake. It won't give us the energy efficiency and the environmental advantage that we need.

Tenants will face possible rent hikes due to landlord applications for rent increases because of retrofit work. This will affect the ongoing affordability of rental stock, particularly in large urban centres. Landlords need to recover the costs of investments that they make in buildings, but they also, in the rents that they charge tenants, need to reflect the savings that they are given when they make those investments. It can't all be the tenants paying for capital improvements and the landlords reaping all the savings. I've said this before and I'll repeat: Many tenants will be forced to pay for electricity service directly, without any control over factors which could reduce electricity bills. They aren't going to go out and buy new Energy Star fridges or high-efficiency stoves; they're not the ones who are going to be replacing the hot water heaters in their buildings. This bill is not going to address those issues.

0930

Most of the Bill 235 suite-metering protections apply only to sitting tenants. This means that over time, a smaller and smaller proportion of tenants overall will have any protection, because as you move into a unit as a new tenant, you're stuck. You're simply going to have to carry that particular burden; you aren't going to have a choice.

It is not clear at this point, and it needs to be made very clear, what the landlord's obligations concerning necessary retrofits are. Those obligations would likely only extend to current sitting tenants. This means that tenants will face potentially higher bills due to factors entirely within the landlord's control, which in turn will affect tenants' ability to pay their rent.

Those are substantial problems with this bill. Those problems need to be addressed. This bill is going to go to committee. It's going to hear from tenants; I'm sure it will hear from landlords. It needs to adopt a strategy that will actually make an energy difference in those buildings and not simply put the burden—put the cost—on the shoulders of tenants. That has to happen.

Part of the thinking in doing what is being brought before us is the focus of suite metering on sending “price signals” to tenant households to reduce their discretionary energy use. It would be interesting to see if there are studies showing that that does make a difference. I've talked to people who tell me, “I'm not going to turn my fridge off during the day”—the fridge being a very large consumer of electricity—“because I have a higher electricity bill.” If people need to be cool because it's 35 degrees or higher outside, they're going to turn on their air conditioning, particularly if they're ill or elderly and need protection from very high heat.

I want to note that over 30% of Ontario's tenant households live at or below the poverty line. Any increase in shelter costs, including those costs associated with utilities, has a disproportionate impact on these low-income households. What we have before us on the individual meter, the smart meter application for tenants, is highly problematic. It needs to be amended based on what we hear from the public when we go into hearings on this.

I want to talk now about the question of energy retailers. You know, there are a lot of different approaches one can take here. If you go back and look at old headlines—here is a headline I found interesting on June 20, 2003: “Direct Energy Marketing Ltd. and Ontario Energy Savings Corp. Fined for Fraud.” They were fined “a total of \$232,000 after some of their agents apparently forged signatures on 31 consumer contracts, the Ontario Energy Board said today. Direct Energy was fined \$7,500 for each of the 21 switched consumers, and Ontario Energy Savings Corp. was fined the same amount for 10 switched customers. The Ontario Energy Board said it had determined the signatures on 31 contracts were forgeries and not those of customers. Both companies are entitled to a hearing before the board on the decision. The board said it has notified police of its findings.”

Now, I have to say that I don't see too many of those headlines. But what I do see, Speaker, and what you, as a member of provincial Parliament, may hear from your constituency office, is complaints about energy marketers going around. The complaints that I hear are primarily from the elderly and from people for whom English is not their first language, people who see someone at the door wearing a uniform and think that person comes from the local power utility, think that in fact this person has some authority to ask them for their power bill. I have to say, the experience in my office is that regularly we are dealing with seniors and people who are relatively recent immigrants who are getting done in by these marketers, people who are signing contracts and coming into our office with bills that are completely outrageous.

I talked to my mother, who has had energy marketers at her door who demanded to see her hydro bill. She's pretty energetic, so she had no difficulty telling them they would be better off moving down the street. But a number of her friends who are later on in their 80s have difficulty dealing with those energy marketers; sometimes think that they've cancelled contracts with energy marketing firms and find that in fact no cancellation ever took place; that the electricity bill they get, which has shocked them, is still being routed through one of those energy marketers they thought they had gotten rid of.

We've had trouble for most of this decade, and every so often governments say, "Well, we need to do something about energy marketers." I actually think what would make the most sense, except for the sale of renewable power, would be to end these energy marketing operations for gas and electricity because I don't see the advantage to customers. If you're buying electricity in Ontario, there's one system that makes electricity and sells it: through Hydro One. There is no way to get big advantages. You've got people who are playing on the system and making money as a salesperson—not even as a middleman. They ride on the back of the middleman, which is the local distribution company. They're the middleman between the Ontario system and the consumer. They try to insert themselves in there and make money off people who may not know how the system works. They take advantage of them.

On the gas marketing side, you've got your local Enbridge or Union Gas gas distribution company. These companies, these retailers may buy gas in Alberta; they may not. I don't know. I just know that people, in their experience, are getting bills that they don't like and can't seem to get out of.

I had an experience with a local retailer close to my constituency office, whose bookkeeper in error threw out the last notice from one of the energy marketing companies, and the notice was, "If you don't respond to this, we're renewing your contract." That local retailer, I think, had very sharp words with his bookkeeper—a bookkeeper he's worked with for a long time—but the bookkeeper assumed that the energy marketer was like a normal business when in fact, no, this was a company whose function was to make money off people by trying

to shepherd away a group that didn't fully understand what was going on with energy markets.

I don't see any utility in this province of having an industry based on taking advantage of people's lack of knowledge of energy so they can make a buck; I don't see the utility. I see the usefulness in having gas companies and electricity companies delivering energy to people's homes, having them regulated and preferably owned by the public, but I don't see where these brokers, who are a layer on top of legitimate energy businesses, have any real function.

0940

The one exception I can see is companies like Bullfrog, which take contracts with people and pay a premium to get renewable power invested in this province. I can see the logic of that. They sell over the Internet. They don't have door-to-door, as far as I know; they don't have telemarketing. I don't see a problem with that. People who are fairly sophisticated about energy can go in, pay the premium and get the investment they want. But most people don't want to pay a premium; they want to get a bargain. They can't get a bargain. What they get is a sales job.

I think this bill should go substantially further in terms of moving us away from this deregulation of energy sales, this whole idea of retail-level sales of gas and electricity futures, and actually go back to a system that's stable where people know what they're dealing with.

If you pass this legislation, you need to make sure that customers are protected from hidden contract costs, excessive cancellation fees, negative-option contract renewals and other unfair industry practices. There may well be an argument that this bill does that, although my understanding is that there's a lot of stuff still to be answered in the regulations. Those of us voting on this may well not have the answers that we need printed on the paper in front of us. There needs to be greater fairness and transparency for consumers through rate comparisons, plain-language contract disclosure, enhanced rights to cancel contracts, and a new licensing and training regime.

I have to ask, though: I don't know why these firms would continue to exist on that basis. Who's going to buy if they know what they're getting? Maybe somebody. Maybe they'll find another way around it. But if you get rid of all the flim-flammy that is a major part of this operation, I have no idea why these firms would continue other than the idea that perhaps in the regulations there will be benefits provided that will make life much easier for them than the words that are set out in the act itself.

When it comes to these energy marketers, it will make a lot of sense for this government to make it as tough as possible for any of them to operate—if they're not willing to just get rid of them outright—and make it difficult enough that they cannot make money through any dishonest practice. "Dishonesty" is a word that can be applied very broadly. It doesn't necessarily mean criminal dishonesty. There are people who can weave a cloud of words around your head that distract you, that move you to think that what you're getting is very differ-

ent from what's really on the table. I would say that if the government is not willing to move forward to get rid of this particularly wasteful and useless practice, it should make it as tough as possible for it to actually happen, so that those companies and those practices will wither away.

I want to talk last about security-deposit waivers for low-income consumers. The people who advocate for low-income households have been advocating for mandatory exemptions for low-income households from consumer security deposit requirements, which can adversely impact or even exclude those households from accessing and maintaining gas or electricity service. The OEB, in the past, proposed code amendments that would have prohibited electricity distributors from requesting a security deposit from certain eligible low-income customers and would have allowed other eligible low-income customers to pay a security deposit in more affordable instalment payments over a period of at least 12 months.

Under Bill 235, the bill before us today, there's regulation-making authority to set security deposit criteria for gas and electricity distributors for prescribed consumers or a member of a prescribed class of consumers. We'd recommend that priority be given to issuing a regulation that provides for mandatory exemptions from gas and electricity security deposit requirements for low-income consumers. Currently, electricity distributors have the discretionary authority to waive security deposit requirements for a customer or future customer. To date, the OEB has not codified security deposit rules for gas distributors, who also have the discretion to waive security deposit requirements.

It's also suggested that there be a winter disconnect moratorium for low-income consumers. Unaffordable home energy bills leading to disconnection of utility services pose serious public health and safety risks for low-income households. In the Ontario Energy Board stakeholder consultation on low-income energy consumer issues, it was recommended to the board that it should protect against weather-induced illness and death by establishing mandatory disconnection moratoria for the heating and cooling seasons. Disconnection of utility service is particularly devastating—no surprise—for infants, the elderly and those who are ill or disabled. The OEB didn't include a winter disconnection moratorium in its comments on these issues. Many have been advised that the board had said it lacked legal authority to do so, since the Electricity Act, 1998, says that electricity distributors have the statutory right to disconnect for overdue payment.

Under Bill 235 there are provisions for regulations that would prohibit electricity and gas service shutoffs to a consumer or a member of a class of consumers. It's recommended that priority be given to issuing a regulation which would ban the disconnection of electricity or gas service to low-income households and households where infants, persons over 65 years of age or those seriously ill, medically fragile, reside during the period of Novem-

ber 1 to May 1. This winter or heating season disconnection moratorium should also cover the use of a load limiter or other device that limits or interrupts electricity service in any way. The government should be looking at disconnections in the cooling season as well.

It's not a bad idea to look again at the delivery of electricity services in this province and the way that it's done, but the way this bill approaches it is very limited. It relies on a process of putting the burden on consumers and on tenants instead of making the changes at a province-wide level to get rid of the unnecessary marketing of gas and electricity. It puts the burden on tenants for dealing with the energy efficiency of apartment buildings, when in fact they don't have the money or the authority to do what has to be done to be effective. So my hope is that in the course of committee hearings and debate, this bill will be substantially amended.

Thank you.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Phil McNeely: It's nice to be back here in this new year, 2010.

I must say that the presentation by the member from Toronto-Danforth was very comprehensive and I just don't know, in two minutes, where to respond. But I think I will go to the area that a lot of the issues were brought around: consultation. This will be going to committee and there will be consultations. I think that's extremely important because something so new and so different certainly involves that.

0950

Energy conservation became a big part of it with tenants, and their inability to do very much about the energy efficiency of their units, because that is not within their control. This is recognized by the government, it's recognized in the bill, and it's going to be recognized very much in the regulations. If tenants are going to be paying their own energy bills, then they have to have access to the best appliances, and the building form, which they can't control, has to be changed, has to be upgraded energy-wise by the landlords. So these issues will be front and foremost on this.

This government is very much concerned with energy conservation. I presented on behalf of the minister a few months ago on conservation, showing that the growth in the next 20 years for energy in this province would be from energy conservation. A great deal of dollars have been invested, something like \$150 million, in this province alone in home energy retrofits—so I think these will be addressed.

I'm very pleased to hear all the issues that were brought forward this morning.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Robert Bailey: I also would like to speak to the bill and commend the member for his remarks.

This is a big issue in my riding. My office is continually presented with a number of people, not only seniors, who are talking about the door-to-door marketing and

how they're being taken advantage of. It has taken an inordinate amount of time in my office, and I'm sure a number of other members have the same issue.

I certainly look forward to further debate on this when it goes to committee. Anything we can do to advance this cause and to take the onus off the individuals, seniors and low-income people who are being taken advantage of by these door-to-door marketers, I applaud. I look forward to further debate and commend the member.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Howard Hampton: I want to thank my colleague from Toronto–Danforth for delineating not only where this bill falls far short of what is needed, but also for describing in detail some of the challenges that need to be met and are obviously not going to be met by this bill.

The fact of the matter is, there is widespread fraud, deceit, manipulation, if not just outright lying, taking place by energy retailers and their marketing squads across this province. In many cases the deceit, the manipulation, the fraud and the lying is aimed at some of the most vulnerable people in our society: outright acts of intimidation with respect to seniors. I think it behooves every one of us in this Legislature to ensure that this kind of conduct absolutely does not continue in the future. I thank my colleague from Toronto–Danforth for pointing out just how serious the problem is.

Most of what is offered in this bill is, "Well, maybe something might happen in the regulations." That's clearly not good enough.

On the issue of tenants: Let's face it, we have literally millions of people who live in apartment buildings and have no control over whether the apartment building is appropriately insulated, whether the windows are energy-efficient, whether any of the appliances are energy-efficient, yet there is no strategy to deal with this other than forcing up the electricity rate of those tenants.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Maria Van Bommel: I also want to take an opportunity to speak on Bill 235, the Energy Consumer Protection Act. I was listening to the conversation and the debate that has come forward so far. I hear very much about what's happening in constituency offices, and it certainly happens in mine as well.

Before I was an MPP, I worked for the Ontario Federation of Agriculture. This is a long-standing problem, and it was brought to my attention by farmers, who, in an effort to save during some financially difficult times, were probably easily enticed by promises of savings and would sign on to these contracts.

There were very similar types of strategies as have already been described. People would show up at the door and purport to be there on behalf of Ontario Hydro, which is the supplier for most of rural Ontario, and then demand—not ask, but demand—to see hydro bills, and then sometimes there was forgery. People weren't given an opportunity to take the information and go through it

carefully; they were told they had to sign now or it wasn't going to happen.

They ended up signing and had the 24 hours to think about it and read the contract after the individual was gone, and found that they had signed on for something—they really caught them in a contract they weren't ready to deal with. Then they would come to the federation of agriculture and ask for our help. Very often, we had a difficult time getting these companies to go back and cancel those contracts. It was an extremely difficult thing to do.

But I also have to say—I heard the member talk about eliminating all these retailers—that I do know that for some people there truly are savings.

The Deputy Speaker (Mr. Bruce Crozier): The member for Toronto–Danforth, you have up to two minutes to respond.

Mr. Peter Tabuns: I want to thank all those who spoke: the members from Ottawa–Orléans, Sarnia–Lambton, Kenora–Rainy River and Lambton–Kent–Middlesex.

Two points: In terms of the energy-efficiency requirements for buildings in which individual metering is going to take place, if one is going to put those requirements in place, I would say that those buildings have to be brought up to a very high standard before the landlord could apply for metering. Even there I have deep concerns, because this government does not enforce its building code with regard to energy efficiency.

When we heard testimony about the Green Energy Act, we had credible presentations on the lack of enforcement, and the simple reality, even when you look around this city, is seeing buildings that are designed such that there's no way they are actually going to have substantial reductions in heat loss. So right off the top, I have questions about this government's commitment to credibility on energy-efficiency issues.

Then there's the question of whether landlords should actually be allowed to go to sub-metering before they've actually made all the investments. Frankly, if they've made all those energy-efficiency investments, I'm not sure whether installation of a meter could justify itself either environmentally or economically; you're just not talking about that much energy that's left to meter.

When it comes to energy retailers, I would be very interested in seeing whether anyone has actually saved any money. My experience—and this is talking to a wide variety of constituents who have taken a bath on it—is that they simply get a bad deal thrust upon them.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Dave Levac: I appreciate the opportunity to engage in the discussion of Bill 235, the Energy Consumer Protection Act, 2010. I want to start by acknowledging the previous member's leadoff for the NDP. The member from Toronto–Danforth has come with a few ideas that I felt were worthy of presentation.

As I have done in the past, I have carriage of this bill as parliamentary assistant to the Minister of Energy and

Infrastructure. I want to tell him that staff are here to take notes, and the presentations inside this House, those of consultations and those that will be taking place in committee, as well as the consultation later on in the year for the regulatory stream that will be designed, will all be taken into consideration. Input will be evaluated and analyzed, as we've done in the past, to try to make the bill the best it can be.

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I also remind members of this House that I have yet to see, over the 10 or 12 years I've been here, a perfect piece of legislation being written; that we haven't gone back in the past and pulled bills out. In some cases I recall seeing a bill that hadn't been touched since 1960 that we've gone back to review and analyze.

So to create a picture that absolutely this piece of legislation will be the be-all and end-all of energy efficiency and consumer protection is not correct, except to say that the input he gave us—I took some notes and he made some good points about apartment retrofitting, the efficiency there. He also made some interesting points that, in a regulatory review, I will be taking to heart and seeing if there's something we can do about the security deposit waiver points that he made in the regulatory stream, and also the winter disconnect.

I know that landlords can't do winter disconnect, but the utility can. That is what, I believe, he's making reference to. I believe that in those recommendations that came from consultation, it can be addressed in the regulatory stream. So he made some good points that I believe are worthy of consideration, discussion and further debate. There are probably other sides to the story. Some people forget to say that there are some logical reasons why other things don't get removed and we'll try to find all of those things and bring them to the front.

Now, as for the bill itself, let me review the seven points that I believe on the consumer protection side we should be taking into some deep consideration. Regarding the retailers, I want to bring those points out as to what those problems are that have been acutely defined, not only by each member in this place when they have to deal with this at a constituency level, but also for the government, the ministry, landlords, tenants and homeowners themselves.

The salesperson practices I'll use as bullet number one. When I say that, I'm sure everyone can conjure up a concept of what those practices are that some of those salespersons have perpetrated on the consumer at the door. In this legislation, we are now going to encase in law, if this bill is passed, the immediate verbal disclosure and ID badges, salesperson training and other standards. So this person who is going to be coming to your door must verbally identify themselves as to who they are and must carry an ID badge that is approved. They must go through salesperson training and other standards that have to be met before they're allowed to come to the door. That's number one. That starts on eliminating some of those who have used ID badges that imply they're with somebody else. They have even used the Ontario

logo on their little badges, implying that they're from the government of Ontario. Of course, as has been pointed out by other speakers here and other people who have experienced this, that's fraud. We're going to put an end to that.

The consumers don't have the information they need to decide at the door, and a lot of it has to do with the language barrier, which has been pointed out. We are going to instruct that plain language in the contract disclosure statement must be available in several languages. We are going to attempt to ensure that those who do not have English or French as their first language will be given communication of their contract disclosure in the languages they're familiar with. This, again, will start eliminating some of those issues that have come up. People identify that language is a barrier and they try to take advantage of it by selling them something and they don't even know what they're signing.

Verbal contracts: sometimes and usually over the phone, contracts not with an account holder. We've heard stories where somebody answers the phone and says "yes" to a butch of stuff, and they are not even the contract holder in the household. They simply, by phone, are able to get this contract renewed. There are text-based contracts and signatures required now. Only the utility account holder or others specified by regulation, which we will discuss in the future, can sign energy retailer contracts for a household. So there's another bullet clearly delineating that there was a problem, and here's the solution to that problem. Or the consumer feels pressured into signing a contract—high-pressure sales.

We are going to use three possible cancellation processes. One we already have in place, but we're going to put these in as an emphasis to ensure that high-pressure sales are not going to be able to be used to get that contract. Those cancellation alternatives are, presently, the 10-day cooling-off period, so if you sign that contract at the door, you've got 10 days to decide, "I don't want it." You institute that within 10 days, and the contract is null and void.

Upon third party verification within 10 to 60 days of signing the contract: That means that this contract, once signed at the door, will be sent to a third party for verification. The people who are responsible for that third party verification will contact the home within 10 to 60 days and say, "Did you sign this contract? Is it what you want to do? Have you had an opportunity to review what it is that you're signing?" "Yes, I have. I don't want it." "Thank you very much. Within 10 to 60 days, the contract will be cancelled according to our regulatory stream."

Finally, we have a 30-day cancellation after receipt of the first bill. Between the 10 days of the initial contract cooling-off period, the 10 to 60 days of the third party verification that the contract was signed and then even after that, when you get your first bill, you have 30 days to cancel.

That is probably the most important part of this for anyone who believes that they have been duped into

signing a bill under pressure. We've relieved that pressure valve for the consumer to ensure that they've got that much time and those three options to apply to ensure that that contract at the door is null and void.

The fifth bullet is unfair cancellation policies and fees and automatic renewals for gas contracts. That's the other end of this. If I finally find out that—you know what?—I want to slip out of this, and I want to end it, we're going to end the unfair policies, practices and fees and the automatic renewal game that gets played.

I'll give an example, and I'm sure the member from Toronto–Danforth witnessed this one in his riding. Somebody gets a cheque for \$50. If you cash this cheque, it's automatically renewed. They're giving you a \$50 cheque, and I'm sure he understands that for some people, \$50 is a lot of money. If they get this cheque, and it's legitimate, they look at it, they go to the bank, and they say, "Is this real?" The teller says, "Yes, it's real." "Oh, I want the \$50." The fine print says, "If you cash this cheque, your contract is renewed." Here's what we're going to do: We're going to prevent these cancellation fees and, in some instances, any fees, such as when people move or accidentally sign a second contract eliminating the negative option renewals.

Quite frankly, what we've decided to do is say, "That's not acceptable. You're playing on people's need for that \$50. You're playing on people's inability to put the moving piece together." I go to move, and then all of a sudden, I've got an automatic renewal on this. It's not going to happen. We're going to get rid of that particular practice.

The sixth bullet, the electricity retailer, the gas market-accountability: Additional licensing conditions for retailers, including individual salesperson training and background checks, will be instituted in the legislation and an assurance fund to assist in covering potential losses for consumers. OEB will randomly audit retailers, and we're going to improve officer and director accountability.

Here's the second wave that took place. They hired these people on the side. They weren't actually employees; they were contract employees. They were young students, in a lot of cases. They were saying, "By contract, you get paid." Do I understand that for the consumer, this was a bad practice? Absolutely. Do I understand it was a bad practice for the student trying to make money? No, it's their own moral compass that had to be taking place, because that's where some of them were using some of those really nasty tactics, where they would say, "Can I see your gas bill? I've got this badge. I need to see your gas bill." Then they'd take the number down, and they'd simply write the contract out, fake a signature and send it in. But we're now going to make the owners responsible for the practices of those salespeople. That is one of the doors we're going to shut as well.

1010

It's important for us to understand that these bullets that I'm going through are identifying the problems that

were taking place and, on the other side of it, going over what the legislation is going to change to ensure that that practice stops.

Finally, fixed contracts don't clearly disclose all the costs or offer products promoting conservation. What happens is, they're putting these contracts together and they're implying through their actions that the contract is not as expensive as it appears. So you've got this fairly cheap-looking contract and then, all of a sudden, you peel the onion back, layer by layer, to see that you get a fee for this or a charge for that and, quite frankly, it turns out to be even more than what they're presently paying for.

The energy retailers will be required to clearly show all charges and time-of-use products that can be required. So again, another door closed with this piece of legislation.

I think what's happening here is that we're taking the steps that every one of us has experienced, I'm betting. I would even bet on this one: that every single one of us has had that complaint about a contract that has been foisted upon them at the door. And the horror stories just got worse and worse and worse. Quite frankly, it's one of those things where—I've got one for you. Here's another thing they did. The one that got me the most was that \$50 cheque. I've got to tell you that whoever figured that scam out played that one to the hilt, knowing darn well that any of us don't mind 50 bucks. To have that \$50 thrown at us, "and by the way, the fine print says that if you take this \$50 and cash it, your contract is renewed"—that one was a beauty. We can all tell stories about others.

I wanted to make sure that I went through in as much detail as possible those solutions that are going to be found in the legislation to assure people that, yes, we've figured this out.

This didn't take place yesterday. This was happening as soon as the deregulation took place and the legislation was passed, I think back in—I'm looking at the member across to see if he can confirm this—1998, when the first regulatory stream came through.

Mr. Peter Tabuns: That sounds right.

Mr. Dave Levac: I think it was in 1998 or 1999, one of those years, when this deregulation took place and the legislation was written so that this could happen. So we've had a long time to get this fixed. I want to assure the members that the intent of this legislation is to ensure that we take the bullets that we've described today of what was going on and show you what those proposed changes are going to be and offer the opportunity to get it right.

I look forward to committee. I hope that all of those who are interested in finding out if this is enough and that this is covered off in terms of door-to-door sales—I'm looking forward to other recommendations and suggestions.

The member from Toronto–Danforth said, "Just ban the practice altogether." That's a legitimate option. There are other options we should consider, and if we're going to look at these and think this is the way to go, I think we

should be looking at any other doors we could close to ensure that this doesn't happen. I think we should enter into a really honest debate about trying to figure out the best we could do.

I wanted to make sure that those options were covered off and explained, and I believe that's there.

The other part of this is that there was some concern raised about regulations. The regulations will not simply just be hoisted upon this piece of legislation. The commitment that the minister and the government made was that we will be consulting on the regulatory stream. We will make it an open consultation, with input from the stakeholders and the consumers on how those regulations will be defined and written.

The member from Toronto-Danforth brought up the two areas that I indicated to him immediately—and I will reinforce that. I believe that those two pieces that he brought up within the regulation stream will get discussed. I will take this—not only from your discussion—to the minister myself regarding the winter-disconnect concern that he raised and the security deposit waiver piece that has been discussed, and it has been produced by other organizations, particularly those that are looking at low-income people living in poverty. I believe he has brought points to the table that are deserving of discussion, and I will commit to him that I will do so.

Suite metering—I've only got a few minutes left, Speaker, but I'll bow to your preference. I believe there's about three minutes left, and I'll try to do that as quickly—

Interjection.

Mr. Dave Levac: I see the digit telling me exactly what I've got, so I will stop there and indicate to him that I will be participating in the bill, the committee and the consultation on the structuring of our regulation stream.

I want to thank the minister for this opportunity to carry the bill. I want to thank the members for their input and commit to them that I will pay good attention to all the debate that's going on in the House.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 8, this House is in recess until 10:30 of the clock.

The House recessed from 1016 to 1030.

INTRODUCTION OF VISITORS

Mr. Ernie Hardeman: I'm pleased to rise today to welcome to Queen's Park Edith Heleniak, mother of page Rachael Heleniak, from the township of Norwich in the great riding of Oxford. I truly hope Rachael has an enjoyable and educational time with us, and I'm looking forward to seeing her at Queen's Park in the future.

Mr. Joe Dickson: I'd like to take this opportunity on behalf of legislative page Matthew Kostuch from Dr. Roberta Bondar Public School in our Ajax-Pickering riding, particularly Ajax, to welcome his mother, Christine Kostuch, and the lovely young lady with her, Wendy

Kelly. They are both joining us in the Legislature today. Welcome to Queen's Park, ladies.

Mr. Mario Sergio: I am delighted to introduce, in the east members' gallery, Brian Warren. He's a two-time Grey Cup champion, all-star honour player, the Argos' voice on TSN and other channels, and founder of Kids-Fest and Pathways, bringing relief to some 40,000 kids in Canada and in my riding. I'd like to welcome Brian Warren to our House.

Mr. Charles Sousa: I'd like to introduce a young lady from the University of Ottawa. Her name is Ashley Pereira. She's an outstanding student and was the valedictorian in her high school.

Hon. Michael Chan: I'd like to welcome to Queen's Park our friends from the entertainment and creative cluster: actor Karl Pruner; Brian Topp from ACTRA; Dan McLellan from Deluxe Postproduction; Kirk Cheney from the International Alliance of Theatrical Stage Employees; Kevin Shea from the OMDC; and Karen Thorne-Stone from the OMDC.

The Speaker (Hon. Steve Peters): I'd like to take this opportunity on behalf of the member from Mississauga-Brampton South and page Arusa Mithani to welcome her mother, Nadia Mithani, to the gallery today. Welcome to Queen's Park.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): I beg the indulgence of the members to allow the pages for a formal introduction.

Daria Bajus, Hamilton East-Stoney Creek; Amy Beaven, Timmins-James Bay; Ava D'Souza, Don Valley East; Rachael Heleniak, Oxford; Sarah Hoyos, Oshawa; Colin Jansen, Huron-Bruce; Matthew Kostuch, Ajax-Pickering; Julia Louis, Scarborough Centre; Quinton Lowe, Cambridge; Anthony Meola, Mississauga South; Arusa Mithani, Mississauga-Brampton South; Max Musing, Beaches-East York; Brady Parcels, Prince Edward-Hastings; Christopher Parker, Barrie; Jordan Pind, Peterborough; Laura Stilwell, Parry Sound-Muskoka; Haleigh Ryan, Dufferin-Caledon; Nevan Whiteside, Kitchener-Waterloo; and Jullian Yapeter, Oak Ridges-Markham. Welcome to our pages. Enjoy the session.

ORAL QUESTIONS

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Tim Hudak: My question is to the Premier. We learned yesterday that the same Liberal-friendly consultants who got fat and rich off sweetheart deals during your eHealth boondoggle have now come back for second helpings through your LHINs, the regional health bureaucracies.

Premier, just like at eHealth, there has been enormous growth in executive salaries and benefits at your LHINs. Could you inform the Legislature exactly what has been the increase in LHIN bureaucrats earning more than \$100,000 per year?

Hon. Dalton McGuinty: Every day I'm coming to believe more and more that my honourable colleague has a bright future in creative fiction. He spins a wonderful tale and it's always interesting to engage in that kind of fantasy. But as I like to say, the facts are not entirely irrelevant in this place. I'm going to give my colleague the Minister of Health an opportunity to speak to this in the subsequent questions.

I can say at the outset that we're very proud of all those people who dedicate themselves to working through our local health integration networks and to delivering better health care on the ground.

The idea and the ideal that informed this new policy was to ensure that instead of having all the decisions with respect to local health care made here at Queen's Park or in downtown Toronto, we could delegate some of those responsibilities to people on the ground, who live in the communities, who understand the needs of their communities.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: Well, Premier, let me give you more of the facts from your very own sunshine list. In 2006, when you created your regional health bureaucracies, the so-called LHINs, there were 40 bureaucrats making \$100,000 or more per year. In just three short years, the list of LHIN bureaucrats making 100 grand or more is up 150% to a total of 95. At the same time, executive salaries are up 213%.

Now, Premier, facts are stubborn things and the facts speak for themselves. Why are you diverting money meant for patient care to line the pockets of more health bureaucrats?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. Deborah Matthews: I think it's an appropriate thing to take a few moments and talk about LHINs. Local health integration networks were established, I believe, only three years ago. Their job is critically important in the creation of a sustainable health care future for Ontario. What they are charged with, the responsibility they have, is to integrate health services at a local level. They are doing, I would say, a very, very fine job.

One of the best examples of the work they are doing is the integration of community supports for people who otherwise would be in the hospital. Those are the alternate-levels-of-care patients, patients who are in hospital but could be in the community. The LHINs have embraced this challenge and I'm very pleased with the work that they are doing.

1040

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Tim Hudak: Well, let me wake up the Premier from his reverie. Let me take him out of his fantasy

world and tell him what's really happening on the ground in health care in the province of Ontario.

Premier, your government has closed down ERs in communities like Fort Erie and Port Colborne, and at the same time the number of health bureaucrats at your LHINs making \$100,000 or more is up 150%. There are now 15 senior executives at these regional health bureaucracies making \$200,000 a year or more. It is outrageous to see money meant for front-line patient care being diverted to more fat-cat bureaucrats, and it's outrageous that you created this bureaucracy in the first place instead of putting money into front-line patient care services. What makes you think you can get away with this?

Hon. Deborah Matthews: The work that the LHINs are doing is really on-the-ground front-line work. We have established a new diabetes strategy; the LHINs are helping us implement that. The work they are doing, that local planning work where they are bringing in all of the health care providers—the CCACs, the long-term-care homes and those organizations that actually provide service through volunteers such as Meals on Wheels and driver services for people—is the kind of work that has to be done at the local level. If the Leader of the Opposition believes we can provide that local integration out of Queen's Park, I beg to differ. I think that is work that needs to be done at the local level, and the LHINs deserve the support that we give them because they are integral to the sustainability of our health care system.

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Tim Hudak: Back to the Premier: Your Minister of Health just claimed the services are going to front-line care. The evidence and the facts are quite the opposite. The only thing happening on the ground is a longer wait time for more health bureaucrats to help themselves to the trough in your regional health bureaucracies.

Let me give you, Premier, another fact from your very own records. Barry Monaghan was CEO of the Toronto Central LHIN until he resigned on November 9, 2007. Premier, if Mr. Monaghan resigned in 2007, then why did the Toronto Central LHIN pay him \$351,000 in 2008?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. Deborah Matthews: The member opposite, I think, needs a bit of an education on some of the progress that we've made when it comes to improving wait times. When we took office in 2003, people were waiting unconscionable lengths of time for essential surgeries. In fact, the wait times were so long that people were actually getting worse as they were waiting, and they could never fully recover from, for example, a new hip, because they had waited so long. The wait times were not just extremely painful for patients; they were really damaging the health of the people who were waiting.

So we attacked wait times. We actually, for the first time ever, started to measure how long we're waiting. We publicly report; you can go online. At the website,

you can see, for every single hospital, a number of different procedures, and you can actually track for yourself how we've been able to bring down those wait times—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Tim Hudak: Back to the Premier, the real world and your friend Barry Monaghan: The Ontario PC caucus has freedom-of-information information which reveals that at the same time as Mr. Monaghan collected \$351,000 in salary from the Toronto Central LHIN, Mr. Monaghan also received an untendered consulting contract worth \$104,000 from the Mississauga Halton LHIN. Add it up: \$455,000 meant for Ontario patients ended up in your friend Mr. Monaghan's pockets. Premier, why was half a million dollars meant for patient care sole-sourced to one of your friends in your regional health bureaucracies?

Hon. Deborah Matthews: The Leader of the Opposition maybe forgot a kind of important piece of information. That is that we have changed the rules around sole-sourced contracting. We listened to what the Auditor General had to say, we made the changes and we are moving forward because this government believes that absolutely every dime we spend on health care simply must go to improving health care for people. That is at the core of our health care approach.

The rules that were in place when the party opposite was in power are not okay; they're not good enough. So we acted last summer and fall to implement those rule changes. We moved forward with those tough new rules. As we said yesterday, I have written to all the LHIN board chairs and I have asked them to seek reimbursement for inappropriate past expenses.

In the supplementary I will—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Mr. Tim Hudak: It's no surprise that the Premier has dodged four consecutive questions on the runaway spending at his regional health bureaucracies in the LHINs.

Let's put this into perspective. During Dalton McGuinty's eHealth boondoggle, his highly paid and hand-picked senior executive helped to funnel untendered contracts to Liberal-friendly consultants like John Ronson, Karli Farrow, the Premier's former health adviser, and Michael Guerriere of Courtyard. Now, with your LHINs, these regional health bureaucracies, you have 14 highly paid executives and millions in untendered contracts handed out to Liberal-friendly consultants or former CEOs like Barry Monaghan. We are seeing a pattern where Dalton McGuinty's scandals are having sequels, like the OLG.

Premier, when you see these abuses at the LHINs, doesn't it look like this is the son of eHealth at your regional health bureaucracies?

Hon. Deborah Matthews: Let me repeat, because it's clear that the Leader of the Opposition didn't hear what I said: All of the contracts that he's referred to were from before we made the rule changes. We have made the rule

changes. We have fixed the problem. This was an important initiative that this government has undertaken.

Let me read from a letter that I wrote to the LHIN board chairs: "Public confidence and trust is crucial to continuing this progress. As health care leaders, we need to spend tax dollars wisely and we need to be accountable for our decisions. I can't"—

Interjection.

The Speaker (Hon. Steve Peters): The member from Renfrew will please come to order.

Minister, please continue.

Hon. Deborah Matthews: I'll continue quoting from this: "I can't overemphasize how important it is to ensure that every single dime we spend within our health care system is spent in a way that would be acceptable to a thoughtful taxpayer.

"Last summer and fall" we "brought in ... new rules to increase accountability ... and I expect them to be followed."

HEALTH CARE FUNDING

Ms. Andrea Horwath: My question is to the Premier. Ontario families are beginning to get a taste of what their Premier's priorities mean for them: hospitals under the operating knife while Bay Street basks in the Premier's \$4.5-billion giveaway. The Minister of Health says that no hospitals should make cuts, particularly if they affect patient care. If that's the case, why won't the Premier explain why hospitals across the province are in fact cutting front-line services to this day?

Hon. Dalton McGuinty: I'm pleased to take the question. I've had the opportunity to make reference to this before, but I think it bears repetition. Since 2003, when we first earned the privilege of serving Ontarians in government, we have increased hospital funding by 42%. I think that contrasts with cost of living increases of 11%. That represents a dramatic infusion of new dollars into our health care system, because they were absolutely needed.

I want to assure all the people who work inside and dedicate themselves to patients, in our hospitals and through their various services, that we will, through this budget, notwithstanding our difficult challenges, find a way to increase funding yet again. That's the truth. We've always increased funding for our hospitals. We will find a way to do that again.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Ottawa's Queensway Carleton is looking at cutting 17 beds in April. In Hamilton, St. Joseph's Healthcare is cutting 12 staff. Pain and cardiac rehab clinics have closed in Toronto's west end. London resident and cancer patient Marita Devries has turned to Facebook to protest 26 nursing layoffs at an outpatient cancer care clinic.

How is it that the Premier has \$4.5 billion for corporate tax cuts but can't spare cash for cancer patients like Marita?

1050

Hon. Dalton McGuinty: I know that my honourable colleague wants, at some point in time, to make a reference to the personal income tax cuts that kicked in on the first of January of this year. I think that's important. It gives a fuller picture of our package of tax reforms.

Also, I want to draw my friend's attention, once again, to the study of the Canadian Centre for Policy Alternatives. I don't think that the Canadian Centre for Policy Alternatives speaks for Mike Harris, although my honourable colleague may think so. They said that, in particular—they put out a study, and I'm just going to reference the name of this study: Not a Tax Grab After All: A Second Look at Ontario's HST. I would strongly recommend this study, again, to my colleague, from the Canadian Centre for Policy Alternatives.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: This Premier's priorities are clear: Faced with a steep deficit, he put aside scarce resources for a corporate tax cut, and he ignored cancer patients like Marita Devries in London and he ignored families in Port Colborne, in Fort Erie, who have lost their emergency rooms.

We need responsible planning and smart investments to ensure our health system is there for the people who need it. Why is the Premier allowing reckless, short-sighted cuts instead?

Hon. Dalton McGuinty: Again, just a few facts: Almost 10,000 new nursing positions have been created in Ontario since 2003. I mentioned before that hospital funding has gone up by 42%; that's \$4.6 billion.

Again, referencing this report that my honourable colleague refuses to acknowledge—Not a Tax Grab After All—it says, in part, "The central question of this paper ... was what effect the new tax package would have on the poor. More precisely, given that a political decision was made to move to a HST system did the Ontario government design this properly to protect the interests of the poor?" Answer: "In general, our answer would be in the affirmative.

"The interests of the poor are relatively well protected in this set of measures." Again, I reference this study to my colleague.

HEALTH CARE FUNDING

Ms. Andrea Horwath: This question is to the Premier as well. When the previous government was running a \$5-billion deficit, the Premier labelled their corporate tax giveaway "irresponsible," "ideological" and "inappropriate."

I'll ask the Premier the very same question that he once posed when he was on this side of the House: "How is it that you have" billions "for additional corporate tax cuts, but you don't have enough money, apparently, for the Ministry of Health to ensure that we meet the needs of our families when they've got to go to Ontario hospitals?"

Hon. Dalton McGuinty: What we've done is, we've introduced a comprehensive package of tax reforms. Not only are there, I think, about—

Interjections.

The Speaker (Hon. Steve Peters): Please continue.

Hon. Dalton McGuinty: We have, I think it's about \$4.5 billion for business tax cuts, but we have over \$10 billion for personal tax cuts.

Again, I would reference my colleagues who believe that Mike Harris is somehow, today, working for the Canadian Centre for Policy Alternatives—that he's in fact not doing that, and that there's a lot of support, notwithstanding the fact that my friends resent this, for our package of tax reforms from the left, from economists who are generally seen to be on the left, from food banks and from poverty organizations who understand that, fundamentally, this about improving the lot in life of our least fortunate in the province of Ontario.

It's a balanced, thoughtful, moderate, progressive package of tax reforms to help people and to help our economy.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: I'd say it's a resurrection from the past. That's what I'd say it is.

We can preserve our health care system, though, if we plan responsibly and make smart investments today, but that's not what this government is doing. They've left hospitals and clinics across the province making random cuts to front-line services while money we cannot spare is being given away to corporate tax cuts. Why does this Premier think that it is a responsible choice today when he rejected that very same choice in the past?

Hon. Dalton McGuinty: I'm not sure how many times I can say it or in how many different ways I might say it, but my friends stand against the plan that we have in place. They have yet to put forward an alternative of their own. It would be nice to see something at some point in time.

Let me tell you a bit more about our plan and why we are so proud of our plan and so sure that it's the right plan for our time. It's about ensuring that Ontario is competitive, not just for purposes of meeting our immediate needs today but for purposes of securing a bright future for our children tomorrow. We want to have in place the economic strength to ensure that we can continue to fund their schools, their health care, their environmental protections and their jobs. That's what this package of tax reforms is all about. It represents about \$4.5 billion in cuts for businesses and \$10 billion in cuts for people. It's about ensuring that we take all the necessary steps today to strengthen our families, to strengthen our economy, to make sure that we have up to 600,000 more jobs.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: What this government has decided is that a tax package worth \$2 billion in revenue shortfall is the right way to go. On this side of the House, we disagree.

Families across the province are seeing cuts to front-line services; that is a fact. Nursing positions, beds and pain clinics are shutting down daily; that is a fact. They aren't being replaced by other local services either, so don't try to say that they are. They are just vanishing from communities across the province. It's not an accident; it is a choice that this government is making and this Premier is making.

My question is simple: Shouldn't health care for families come before corporate tax giveaways?

Hon. Dalton McGuinty: Again, hospital funding has gone up every single year on our watch. It will go up again this year. It will not go up as dramatically as it has in the past because we're running close to a \$25-billion deficit. My friend opposite believes that that's not particularly relevant; we think that's important.

My friends opposite also know that this is a function of governments everywhere acting in concert to stimulate our economy. We're borrowing money to stimulate our economy, in keeping with the very best advice. They're doing that in the federal government. We're doing it in Ontario. They're doing it in virtually every province and every part of the world. That's an important dimension that we have to take into account as we plan for this year's budget.

Health care funding will go up, hospital budget funding will go up, but it will not go up as dramatically as it has in the past, given our circumstances.

LOCAL HEALTH INTEGRATION NETWORKS

Mrs. Christine Elliott: My question is for the Premier. What qualifications do you look for in people you appoint to LHINs, Premier, other than donations to the Ontario Liberal Party?

The Speaker (Hon. Steve Peters): I would just ask the honourable member to withdraw that comment.

Mrs. Christine Elliott: Withdrawn.

What qualifies your appointees, Premier, to sit on boards of LHINs?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. Deborah Matthews: As we discussed earlier today, the LHINs play a critically important role in our health care system. Their job is to integrate health care services at the local level. As a result, we expect that we have a very high standard of quality of people who are sitting on the LHINs. They go through a rigorous process. We have moved, actually, to a skills-based matrix so that we have in each LHIN the right skill set so that the LHIN represents the community but it also represents a degree of expertise in many different areas.

It's a very important responsibility they have. We take it seriously. They do go through the public appointments system, and members opposite have a chance to invite them to participate.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Christine Elliott: Perhaps we could take a look at the background of some of these appointees. Anju

Kumar has a background in IT, not health. She donated over \$1,000 to the McGuinty Liberals and was appointed to the Toronto Central LHIN. Glenna Heggie is a retired teacher who donated \$6,358, and she's on the Waterloo-Wellington LHIN.

These hand-picked appointees don't even hold themselves out as having any special expertise in health. Juanita Gledhill lists working with Steve Mahoney at the WSIB as experience. She's also a donor. You appointed her chair of the Hamilton Niagara Haldimand Brant LHIN, which shut down the Fort Erie and Port Colborne emergency rooms.

1100

How much does someone have to give to have the pleasure of doing your bidding?

Hon. Deborah Matthews: I have to say that I think this is beneath the member opposite. The LHINs have a very important responsibility. They are selected very carefully. We have a very careful process where we get the best possible mix of skills on the LHIN. If the member opposite doesn't think that IT experience might come in handy when it comes to health, I think that's living in a past age.

The quality of the people on our LHINs is very high. As we move to implement the skills-based matrix, I do actually believe that we'll be able to increase the quality and the mix of people in the LHINs.

DARLINGTON NUCLEAR GENERATING STATION

Mr. Peter Tabuns: My question is to the Minister of Energy. Yesterday, the minister announced his support for Ontario Power Generation's plan to refurbish the Darlington nuclear plant.

Applause.

Mr. Peter Tabuns: I appreciate support for my statement.

He said the refurbishment is cost-effective, but refused to tell Ontarians how much the rebuild will cost.

Why won't the minister share the expected cost of the refurbishment of the Darlington plant and the alternatives that were considered so that Ontarians can be sure that this decision is not yet another example of the McGuinty government's blind faith in costly and risky nuclear plants?

Hon. Brad Duguid: I'm pleased to share with the member and Ontarians the best possible preliminary cost estimates that are available. In fact, the member was standing within three or four feet of me yesterday when I was speaking to the media on this.

I indicated to the media—perhaps he didn't hear; perhaps he wasn't listening—that the cost would be about eight cents per kilowatt hour over the lifespan of this particular investment. That's the way they measure these types of costs within the nuclear business. But I can extrapolate on that even further: That would put it into probably the \$6-billion to \$10-billion range in terms of expenditures.

Let's be clear: That's a big investment, but it's an investment in the future stability of our nuclear system. It's a sustainable, emissions-free source of energy that we need to invest in.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: I want to let you know that, in fact, I was standing beside the reporters when they were asking the question yesterday and trying to get a cost out of this minister. The best they could get was this guess-timate about the cost per kilowatt hour.

If you know what it costs—and you just told me \$6 billion to \$10 billion—you're making a decision with a range of almost 100% on the cost, \$6 billion to \$10 billion, in a world where those costs tend to soar. You know that. You know what's going on in the United States.

Are you going to give us the cost? Are you going to make sure there's a commitment to this House that we have a fixed price so that we don't get stuck with the overruns? Tell us.

Hon. Brad Duguid: Unlike previous governments who thought short-term and planned for their energy needs and the energy needs of this province not much further beyond their term, as the NDP did and as we know the Tories did, the McGuinty government is probably the first government in Ontario to effectively plan past our term to not only our generation, but future generations. That's what this refurbishment represents.

We're looking at planning the sustainability of nuclear in this province for 30 or maybe 40 years going forward. Previous governments did not do that. We recognize that we do have to make strong, important decisions today to ensure that future generations have the ability to turn their lights on when it comes time and that businesses in the future have energy that's affordable, sustainable and reliable.

CULTURAL FUNDING

Mr. Reza Moridi: Film, television, music, books and magazines all make Ontario's cultural scene vibrant. The entertainment and creative cluster—

The Speaker (Hon. Steve Peters): Who's the question to?

Mr. Reza Moridi: This is to Minister Chan.

The entertainment and creative cluster provides positive economic, social and cultural benefits to communities all across Ontario. This cluster is often used as a medium to provoke thought, express ideas and enhance our creativity and imagination. This cluster is the cornerstone for any democracy; it's also the cornerstone for a strong and vibrant economy. We all benefit from the investments and jobs this sector brings to Ontario.

To the Minister of Tourism and Culture, what steps will you take to ensure that this sector—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Michael Chan: Thank you for the question. The entertainment and creative cluster partners play an important role in the economic and social well-being of this

province. Our industry partners contribute and support us in building stronger communities across Ontario.

Since 2003, our government has contributed more than \$2 billion to the cultural industry. As well, we went further last year by introducing a total of six tax credits that are worth \$280 million annually for our partners in the film and television, sound recording, book publishing and digital media sectors.

We are committed to supporting our cultural industry and we are also committed to building on the valuable progress we are making together.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Reza Moridi: Ontario is a leading jurisdiction for film and television production. We are well recognized internationally. Ontario is renowned for the diversity of its locations, its cultural mosaic, high-tech infrastructure and experienced workers. Ontario is a destination of choice in the film industry and we need it to remain that way. We need to ensure that this sector and individuals within the sector receive the type of support that will enable them to continue to succeed internationally. There are a lot of resources and talent in Ontario that make us very competitive. We need a sustainable plan that will help the sector compete with other jurisdictions.

What is the government doing to ensure that Ontario continues to be a leader in this industry?

Hon. Michael Chan: I want to thank the honourable member from Richmond Hill again. Ontario is a leader in film and television production. Ontario's film and television production is up more than 40% from 2008. This industry contributed close to \$1 billion to Ontario's economy in 2009. It's a clear indication that we have the talent and the right vision in the film and television industries. The expansion of the Ontario production services tax credit from 25% of eligible labour to include the purchase or rental of such things as equipment and studios plays a vital role in this important achievement. Along with our partners, we are moving forward together to build a stronger, more vibrant cultural industry.

GOVERNMENT'S RECORD

Mr. Peter Shurman: My question is for the Premier. First, some members of the Liberal caucus had to gang-tackle George Smitherman to get your attention and have their say about your multibillion-dollar giveaway to Samsung. Next, some said they couldn't get past your staff to tell you that the HST talking points your office handed out were not working. The member for York West had to complain to the media to get a message past political staff who control access to Dalton McGuinty. Our FOIs show that unelected staff make all your decisions.

Is the lack of respect just for your caucus, or does it extend to the constituents they represent as well?

Hon. Dalton McGuinty: Let me tell you just a little bit about the people I'm privileged to work with. Everyone in our caucus is here for all the right reasons. They are absolutely committed to public service, they speak forcefully on behalf of their constituents. They help us

lend shape to the best possible progressive policy in keeping with the values of the people we are privileged to represent. I'm not sure if any Premier at any time has ever been more blessed by such a strong caucus than I, and I'm very grateful for that every day.

1110

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Shurman: Well, Speaker—

Interjections.

The Speaker (Hon. Steve Peters): Start the clock.

The member from Thornhill.

Mr. Peter Shurman: Notwithstanding the applause, Dalton McGuinty's record is so bad that he's had to go out of province to find people who will run for him.

Michael Bryant, George Smitherman and Jim Watson jumped ship to save their careers from your record. Three more ministers were shuffled out of cabinet because they didn't plan to run again. Liberals are distancing themselves from your greedy HST, sweetheart Samsung deal, increased energy costs, higher fees, embarrassing job creation record and treatment of public dollars as a slush fund for Liberal-friendly consultants at Courtyard, Ben-simon Byrne and Narrative Advocacy.

Who do you expect will go public, Premier, when you appoint the member from Winnipeg to cabinet ahead of them?

The Speaker (Hon. Steve Peters): I didn't hear any aspect of that question that referred to a particular government policy. I'm going to move to the third party.

Interjection.

The Speaker (Hon. Steve Peters): As the honourable member knows, we have a respected rule in this place that we deal with points of order following question period.

GOVERNMENT ASSETS

Mr. Peter Tabuns: My question is for the Premier. Premier, you're looking at selling some of the province's most valuable assets: OPG, Hydro One, LCBO and OLG. In guiding the way, you hired a bank so brilliant that it helped to tank the global economy. Will this Premier table the contract with Goldman Sachs, specifically the penalty clauses, should this Wall Street bank do to our assets what its outrageous dealing helped to do to the world economy?

Hon. Dalton McGuinty: I'm pleased to speak to an important issue. Obviously we're going to retain some expertise with respect to what it is that we might do with our assets, if anything. I certainly indicated that we think the responsible thing to do at this point in time is to review our assets to take a look at whether the money to be found within those assets is best deployed within those assets or somehow outside that in a way that gives expression to Ontarians' priorities today, like their health care, like their education.

We're going to continue to look at that. We want to do that in a thoughtful and responsible way. Of course, we think that includes seeking the guidance, advice and

expertise, knowing that ultimately the decision rests with us.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: There's a reason that people don't trust these Wall Street banks, particularly Goldman Sachs. It's time that this government showed that it approaches these questions very seriously and inserts tough penalties if Goldman Sachs is up to its usual. Where is the contract so we can see if our interests are protected?

Hon. Dalton McGuinty: I want to assure my colleague that the work that this particular firm is doing came about as a result of a competitive process. The only other thing I can say beyond that is that we will listen carefully to any advice we receive, whether it's from my honourable colleague, his party or the other party, any Ontarians. But, ultimately, we accept the decision lies with us, and we'll do that in a way that is in keeping with Ontarians' values and their priorities that they have today.

The question we continue to ask ourselves is whether we may not find ways to better deploy existing resources tied up in assets in the priorities of Ontarians today, whether that's something like health care or education.

CONSUMER PROTECTION

Mr. Dave Levac: My question is for the Minister of Consumer Services. First, let me congratulate the minister on her appointment to cabinet. I'm sure her family is very proud of her, along with the great city of Hamilton.

After a house, a vehicle is often the largest purchase made by Ontarians. The vehicle represents freedom, takes people to medical appointments and children to soccer practice and delivers the goods, services and products that make our economy function properly. As it is such an important and large investment, it is vital that consumers are informed when making these purchasing decisions.

In my riding, the vast majority of motor vehicle dealers are very strong, upstanding members of our community and the business community. To hear consumer concerns, though, we have to, from time to time, understand that there are some problems about vehicle transactions.

Minister, how does your ministry protect those consumers when they are purchasing that second-highest investment?

Hon. Sophia Aggelonitis: Thank you to the member for Brant for the question. The member is right: For the vast majority of Ontarians, the purchase of a vehicle is one of the most expensive decisions a person can make. That is why it is so important that consumers know their rights. Since 1997, the Ontario Motor Vehicle Industry Council, OMVIC, has been administering the Motor Vehicle Dealers Act, and it is working well. OMVIC is a self-managed, not-for-profit corporation. They oversee 8,300 dealers and 23,000 salespersons registered under the act. My ministry works with the council to ensure that best practices are followed and that Ontarians are protected.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Dave Levac: No late show so far.

The Motor Vehicle Dealers Act has been in place since 1997, and while I appreciate the minister's position that the consumer protection system with regard to purchasing a vehicle is working well, I wonder what else can be done to further strengthen existing laws with regard to consumer protection on this issue. A lot of people want to make sure that that second-highest investment is protected for consumers.

Can the minister tell us in this House what the government of Ontario has done to strengthen consumer protection for people in this province beyond the Motor Vehicle Dealers Act?

Hon. Sophia Aggelonitis: I am very, very proud to say that our government has modernized consumer protection laws. As of January 1, 2010, our government has modernized consumer protection when it comes to motor vehicle sales. Some of the increased consumer protection laws include an increase in mandatory disclosures about vehicle sales to customers from dealers, a code of ethics for registered dealers, an increase in the claim coverage under the motor vehicle compensation fund from \$15,000 to \$45,000, as well as the ability now to cancel a contract within 90 days if certain items are not disclosed. We have been working in consultation with the industry to ensure that all motor vehicle dealers are on a level playing field. I look forward to continuing to strengthen consumer protection in the province of Ontario.

NUCLEAR INDUSTRY

Mrs. Joyce Savoline: My question is to the Minister of Energy. Minister, in 2006 your government was encouraging Ontario companies like Laker Energy in Burlington to expand in the nuclear energy industry. Minister, that's exactly what Laker did. They added manufacturing to their business, and they increased their floor and employee base. However, nothing has happened since 2006. Minister, Laker wants to expand in Ontario. They want to quadruple their workforce, but your government's stalling is preventing that from happening.

Did your sweetheart deal with a foreign company cut the knees out from under a homegrown Ontario company like Laker Energy?

Hon. Brad Duguid: I had trouble hearing the last part of the question, but I think I got the gist of what the member was talking about. We're talking about a government that's investing today in building—and I think it was the nuclear industry she was talking about—and a refurbishment that's going to go forward for the next 30 or 40 years in terms of providing energy supply. In the refurbishment, there are four years now for the definition portion and then eight years of rebuild going on in Darlington. That is significant. We're engaged right now, as well, and we've been very clear that we fully intend to move forward with the building of two new nuclear reactors in the Darlington area. Right now, and the

member knows and maybe she can help us with her federal cousins, we're in discussions with the federal government, AECL. They put a little wrinkle in that when they decided to put AECL up for sale in the middle of our discussions—

1120

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Joyce Savoline: Minister, you like to talk about these things but there's no action. Yesterday's refurbishment announcement is not a credible plan to ensure a consistent power supply. Your government has left the nuclear industry hanging. Your \$7-billion untendered deal with the foreign-based Samsung and the exorbitant energy costs paid by your government for wind- and solar-produced electricity will affect Ontario companies like Laker Energy.

Will you make some long-awaited decisions that will allow Ontario companies like Laker to move forward from their four-year wait for action so that they can create the jobs here in Ontario so lights can stay on for Ontarians?

Hon. Brad Duguid: That is almost laughable. When we came into office almost seven years ago, we inherited an energy supply that was very much in peril, and we have spent the last six years making the tough decisions that need to be made today to ensure that our generation, the next generation and the next generation after that will have a sustainable, reliable and affordable source of energy.

The Samsung initiative is something that is going to really contribute to that. Not only will it provide 25 megawatts of energy over the length of time that that will go forward; it will also provide this province 16,000 jobs and create a \$7-billion investment in the green economy. How can the Conservatives expect to be taken seriously if they are opposing a \$7-billion investment in our economy?

PENSION REFORM

Ms. Andrea Horwath: My question is for the Premier. For months this government did everything it could do to ignore the plight of Nortel pensioners, even after the province next door showed real leadership and stepped in to find a solution to the Nortel pension crisis.

In the midst of a by-election, this Liberal government is suddenly scrambling to look as though they actually care, but their plan leaves many pensioners wondering whether in fact they are going to have enough money to live on. Is this the extent of the government's actions for Nortel pensioners?

Hon. Dalton McGuinty: I think my honourable colleague knows the answer to that question. We intend to do more. Our first choice would be to do that in concert with the federal government and all the other provinces. The challenge that our pensioners and our retirees are facing today in terms of inadequate income levels is a challenge being faced by many seniors and retirees right across the country. It is a national challenge. We believe

that it requires a national response. That's why we prefer to do it in concert with our colleagues right across the country.

I know my colleague has put forward a proposal, and that is something we are giving careful attention to, but my first choice is to do something in concert with my colleagues from across the country.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, Quebec didn't have to wait for the feds to do something to help those pensioners, and it's been 14 months since the Arthurs commission delivered its recommendations on pension reform to this Premier and his treasurer. One of the recommendations in that report is an Ontario pension agency, and it would pretty much solve the problems that Nortel pensioners face right now. Nortel, AbitibiBowater, Canwest Global Communications—all of these pensioners could benefit from the Ontario pension agency.

Why, when you tabled your disappointing pension package last December, was an Ontario pension agency not included?

Hon. Dalton McGuinty: I can't speak to the specific details of that, but I can say that we have done something. We'll be doing more in the not-too-distant future with respect to introducing more legislation that will affect pensions in Ontario.

One thing I want to draw my colleague's attention to, and I know that she's mindful of this, is that nothing that we do with respect to pensions doesn't involve additional cost. I think we need to be honest with ourselves. Generally, it involves more cost to both the employee and the employer; it requires that we take money that would normally go into the economy immediately and set it aside for purposes of future security. I just think it's important to understand that.

So there are no simple answers here. Again, we will continue to move forward and we'll try to do that, if at all possible, in concert with Canadians.

IMMIGRANT SERVICES

Mr. Bas Balkissoon: My question is to the Minister of Citizenship and Immigration. Over the last several years, approximately half of the new immigrants to Canada each year have settled in Ontario. Since 2003 our government, in its efforts to provide opportunities to all, has worked to break down the barriers faced by newcomers to Ontario. Ontario is the first province to create legislation to make the process of getting licensed in a regulated profession transparent, objective, impartial, fair and timely. That's a major step forward.

Our government has been constantly working to change the system and invested in successful programs so that Ontario's newcomers can put their skills to work, but having read yet another article about highly skilled newcomers who are unable to find work because they have no Canadian experience reminds me that there's much more to be done. We all know that when new-

comers succeed, Ontario succeeds. Minister, how will you tackle this issue—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Applause.

Hon. Eric Hoskins: All right. Now you're making me nervous.

I would like to thank the member from Scarborough—Rouge River for his question. First of all, let me say that I am both proud and humbled to be given this responsibility of serving the people of Ontario as the Minister of Citizenship and Immigration.

This government understands the challenges that newcomers face in getting a job. That's why our government funds services and programs to help newcomers find work as quickly as possible after they arrive in Ontario. We've moved the yardstick and are seeing the results. Since 2003, our government has invested more than \$700 million in programs and services to help newcomers settle, get job-ready and be licensed to work; funded almost 200 bridge training programs in more than 100 professions and trades, helping thousands get licensed and get work in their field of expertise; and helped more than 120,000 newcomers each year.

Clearly there is more work to be done. I will continue the good work started by my colleagues.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bas Balkissoon: Thank you, Minister. I'm pleased to hear that our government understands the need to diversify our approaches in order to address this issue.

Newcomers know that at times they have to upgrade or learn new skills, skills that may not have been used in the country where they were previously employed. However, it is also important for Ontarian employers to realize the value of newcomers to Ontario's economy and its future prosperity. As pointed out by Ratna Omidvar from the Maytree Foundation in a recent article, companies that don't embrace diversity are missing out on market share in Canada as well as markets beyond the borders of Canada. Minister, how will you promote the value of Ontario's diversity to Ontario businesses?

Hon. Eric Hoskins: Ontario's economic competitiveness and its ability to attract professional and skilled immigrants is critical. In a world where we compete on a global scale and where economies advance based on knowledge and innovation, highly skilled newcomers provide a competitive advantage for Ontario's businesses. Our government is committed to making our province a place where all Ontarians are able to contribute, and that is why we support programs such as the DiverseCity project. This is a project aimed at bringing such potential to the front line in business, the non-profit sector and government. Together with the work of the Maytree Foundation and the Toronto City Summit Alliance, we are making significant progress.

Ontario's labour market is dependent on successful integration of highly skilled immigrants. I commend employers like Steam Whistle Brewing for their wise decision to hire new Canadians and would encourage

other businesses to follow their example. As we all know, when newcomers succeed, Ontario succeeds.

1130

DRIVER LICENCES

Mr. John O'Toole: My question is to the Minister of Government Services. Minister, last year you introduced the enhanced driver's licence to deal with the border issue. It is my understanding that to date you have issued 20,000 enhanced licences since last May. Could you please confirm for the House exactly how many licences have been issued, and are they in fact working?

Hon. Harinder Takhar: This question is for the Minister of Transportation.

Hon. Kathleen O. Wynne: Thank you very much for the question. As you know, the enhanced driver's licence is in place to allow people to cross into the United States who don't have a passport, who need this easier way of identifying themselves. It's voluntary. No driver is required to apply for the enhanced driver's licence. We've actually made a \$6.5-million investment to make this enhanced driver's licence available to people.

I think the member opposite is referring to the reality that the demand has not been as high as we had anticipated. The reality is, it's available to people. That's the important thing: Those who need it will have access to it.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John O'Toole: That deflection of the answer is expected.

In the case of the expenditure of \$6.5 million—and my question is, is the system working? Your government is currently losing \$250 for each and every licence issued. You also should know, Minister, that you're spending, currently, \$2.8 million each and every hour more than you receive in revenue.

Minister, you're spending another \$6.5 million. I'm asking now, directly, if you would table a value-for-money audit to explain to Ontarians whether the use of the enhanced driver's licence is contributing to the services that they're paying for.

Hon. Kathleen O. Wynne: You know, it's interesting: If the uptake on this enhanced driver's licence had been beyond our capacity to fulfill, the member opposite would have been standing up and saying, "What's the matter with you? Why haven't you provided enough opportunity for people?"

What we have done is we made projections and we provided opportunities for people who needed this enhanced driver's licence. That is the responsible thing to do.

It's far more important to me, as a member of the government, that someone who needs this driver's licence is able to get it. We will continue to make this product available to people who need it. I would expect that the member opposite would be very interested that everyone who needs it would have the opportunity to get it.

TENANT PROTECTION

Mr. Michael Prue: My question is to the Minister of Energy.

On July 20, 2008, an explosion and fire at 2 Secord Avenue, in my riding, resulted in the evacuation of about 900 tenants from 293 apartment units and 22 townhouses.

The last thing these tenants needed was another major disruption in their lives in the form of the so-called smart meters. They went before the Ontario Energy Board to reverse the landlord's forced imposition of those meters. They won.

When I asked your predecessor, Minister Smitherman, about this last September 30, he said he would consult with the tenants of 2 Secord before proceeding with legislation. It never happened.

Minister, why, despite promises to the contrary, were there never any smart meter consultations with the tenants at 2 Secord?

Hon. Brad Duguid: I appreciate the question. I'm not aware of the discussions with regard to 2 Secord in general.

I can tell you that we're pleased to be moving forward with improving metering across this province. It's a very important part of moving toward our conservation goals. We're doing it in a very responsible way.

When it comes to tenants and metering, we know that for a very long time that has been a very sensitive issue for tenants. The member will know that there's legislation before this House right now that I think works out a very balanced approach that is supported, as far as I can tell, by tenants and certainly by our government, and may well be supported by him by the time we get through. It provides a balanced approach to ensure that as meters go forward into units, tenants are well aware that sitting tenants have the ability to accept or—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Michael Prue: The point, Mr. Minister, is that last year the Ontario Energy Board issued a strong indictment of this government's implementation of its smart meter program in multi-unit buildings. I would have thought that with such a clear indictment of the plan, the government would have taken every opportunity to consult with the tenants affected. Instead, this government refused to consult. The result is a toothless piece of legislation that is being strongly condemned by tenant and anti-poverty groups across this entire province.

My question: Why did the government refuse to consult with the residents of 2 Secord even though they promised to do so? Why did it bring in such toothless legislation in response to the OEB indictment of its misguided plan?

Hon. Brad Duguid: I appreciate the member bringing forward the concerns and suggestions of the residents of 2 Secord, and we're happy to receive their advice as we are of advice from tenants right across the province.

I know that when the regulations go forward as well, there's going to be further consultation, and a lot of these

matters will certainly be resolved within the regulations. We'll be moving forward on consultations with regard to the regulations later this year.

But the big picture is that we're moving forward with metering and sub-metering, and we're moving forward on time-of-use initiatives because we believe in the importance of providing consumers with a greater ability to conserve. That's in the interest of the overall power supply system. It's something we know the NDP did not support when they were in power because we know they cut back on conservation programs.

We're building on our conservation programs. We've done a lot to date. There's still more to do, and we'll continue to consult as we move forward on these initiatives.

WORKPLACE SAFETY

Mr. Charles Sousa: My question is to the Minister of Labour. Minister, workplace health and safety is a top concern for workers in the riding of Mississauga South. I know that a lot of good work has been done in this regard, but until workplace fatalities and injuries in this province are eliminated, there's always more that can be done. That's why I was interested to hear that you have announced a review of workplace health and safety in Ontario. Many of my constituents are pleased to hear this news because it means that our government takes their safety at work seriously.

Would the minister tell us what this review will involve and what it will accomplish?

Hon. Peter Fonseca: I want to thank the member for Mississauga South for his advocacy on health and safety in the workplace.

If I've said it once, it bears repeating: Whenever there is a death or serious injury in the workplace, that is one death or serious injury too many. That's why I've asked an expert advisory panel to do a comprehensive review of our occupational health and safety enforcement and prevention systems in Ontario. Now, it's a fact that Ontario has a world-class system. We are a leader in workplace safety, but we can always do better.

This panel will be led by a respected individual, a champion of health and safety, Tony Dean, former secretary of cabinet and a former deputy minister. He will work with a group made up of labour stakeholders, academic professionals in health and safety, as well as employers to look at our health and safety system—the structure, the operations and the policies that we have—to make it better.

The Speaker (Hon. Steve Peters): The time for question period has ended.

USE OF QUESTION PERIOD

Mr. John Yakabuski: On a point of order, Speaker: Earlier in the day, the member for Thornhill had a question, and on his supplementary it was ruled out of

order. I would like to have the opportunity to request some clarification on that.

Based on standing order 37—and I have the question before me—you said that it didn't apply. The matter is of public importance. It's very, very significant in that order, and it's highlighted.

I also want to refer to Marleau, who says in his book here, "Members should be given the greatest possible freedom in the putting of questions that is consistent with the other principles," and also that they "ask a question that is within the administrative responsibility of the government or the individual minister addressed."

The Premier, of course, is the head of the government. If you look at the body of the question, it was specifically asking questions as to why the Liberal members are distancing themselves from policies of this government: the HST, the sweetheart Samsung deal, increased energy costs and higher fees.

1140

I would ask—the question was very much in order, based on the standing orders of this legislative body, and it should not have been ruled out of order based on simply requesting clarification on the Premier's composition of his cabinet. Those are also questions that the public is asking, not questioning the prerogative of the Premier in choosing a cabinet, but the standards by which he chooses that cabinet—the standards he has when choosing members of his cabinet. Those are questions that are being asked in the media and in the public domain as well. So I think that it is pertinent to question period, and it should have been ruled in order.

Mr. Peter Kormos: On the same point of order, Speaker: Very, very briefly, first, I want to indicate that the New Democrats join with the official opposition on this point of order; two, we're very mindful of standing order 38. We don't in any way intend or attempt to violate standing order 38.

It's a very sensitive thing. Look, the Speaker is in a very difficult role. He has to make instant decisions. He isn't given notice of these questions beforehand, as it should be and as tradition dictates. But it's our respectful submission to you, sir, that the overriding principle is one already referred to, and Marleau states it along with any other number of texts: "Members should be given the greatest possible freedom in the putting of questions that is consistent with the other principles."

The Speaker, as I recall it, made reference to the fact that that was not within the scope or ambit, if I recall correctly, of the Premier. With respect, sir, the standards that this Premier creates for who's in or out of cabinet are very much within the scope or ambit of the function of this Premier. It's my respectful submission that the question put to you related to that standard.

I hear the Speaker when he makes these rulings. We, however, need some assistance. That one hour of question period is the only time that opposition members have to hold the government to account, and we are as responsible for holding this government to account around its

standards for its cabinet ministers as we are any other governmental policy.

Hon. Monique M. Smith: On the same point of order, Mr. Speaker: Just very briefly, the member for Welland referred to standing order number 38 but did not in fact read it. It reads, "The Speaker's rulings relating to oral questions are not debatable or subject to appeal." To that end, we support you in your decision and feel that your interpretation of standing order 37, where "Questions on matters of urgent public importance may be addressed to the ministers of the crown but the Speaker shall disallow any question which he or she does not consider urgent or of public importance," is relevant in this particular circumstance.

As well, I would refer you to 37(d), that "In putting an oral question, no argument or opinion is to be offered nor any facts stated, except so far as may be necessary to explain the same...." I would argue that in this case it was simply a question of stating their opinions, and there was no substantial question involved. So we support you in your decision, Mr. Speaker.

The Speaker (Hon. Steve Peters): I thank the honourable members from Renfrew–Nipissing–Pembroke, Welland and the government House leader for their comments on this. I too would just remind all members of standing order 38(a), which does read, "The Speaker's rulings relating to oral questions are not debatable or subject to appeal," and 37(a), that "the Speaker shall disallow any question which he or she does not consider urgent or of public importance."

Both the honourable members have referred to Marleau and Montpetit, and I remind the members that we are now into volume two, which is now O'Brien and Bosc. In O'Brien and Bosc, they say that questions should not "concern internal party matters...." Many of the issues that the honourable member from Thornhill raised, in my opinion, concerned matters that related to internal issues of the party and of the Premier.

As well, I would just remind members that there have been numerous rulings that held that questions must relate to particular ministry or administrative responsibilities of a minister. I can go back to 2001 and 2002. Reverting back to Marleau and Montpetit, it does say, "the greatest possible" latitude "that is consistent with the other principles." If you continue that quote, one of those other principles is that questions should not concern internal party matters.

I thank the honourable members for their comments.

Mr. Peter Kormos: On a point of order, Speaker: If I may, I appreciate your reference to Marleau and I'm well aware that there's a second edition with new authors, but just because I have the new plain English version of the Bible doesn't mean I throw away my King James. Let's not toss Marleau and Montpetit into the garbage heap. It's still a valuable and historic reference for this assembly.

The Speaker (Hon. Steve Peters): I thank the honourable member. I have the utmost respect for Marleau and Montpetit and the important role that it plays in

guiding Speakers in decision-making. I would remind the honourable member that in both Marleau and Montpetit and O'Brien and Bosc, the quotation is used.

There being no deferred votes, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1146 to 1500.

INTRODUCTION OF VISITORS

Mr. Mario Sergio: It is my privilege to welcome to the House today a live history-maker: Brian Warren, executive director of KidsFest.

A two-time Grey Cup champion and all-star honour player, Brian founded KidsFest 10 years ago, a non-profit organization that is dedicated to Canadian children living at or below the poverty line, enabling them to become valuable contributors within their communities. Its innovative Pathway of Hope features programs focused on academic achievement, physical fitness and social interaction.

KidsFest has, in a very positive aspect, impacted the lives of 40,000 children throughout Canada, as well as the riding of York West.

KidsFest gathers together people from business fields, police, local district school boards, professional athletes and university students to mentor, coach and instil positive belief structures and discipline in the lives of youth at risk.

Brian, once the official voice of the Argonauts for many years, is now the voice for those who cannot speak for themselves, advocating to eradicate modern-day slavery.

It is indeed a privilege to highlight an individual who has channelled his passion to do so much to relieve the suffering from, indeed, the most vulnerable children in our midst.

Brian is here. I'd like to say: Thank you for what you're doing in our community.

Mr. Jeff Leal: I'm very pleased to introduce in the members' east gallery today Dr. Charles Pascal. I know Charles very well—a former president of Fleming College in Peterborough. When I was a young city councillor after the election, Mayor Sutherland would engage Charles to do a facilitating conference for young councillors to get the feel of the job. He did a superb job, being the author of our early reading strategy and the introduction of full-day kindergarten in the province of Ontario. I'm very happy that there will be three of those schools in the Peterborough riding. So we certainly welcome Dr. Pascal with us today.

Hon. Margaret R. Best: Today, it's my pleasure to introduce to the House—she's not here as yet, but I expect her any time—Ms. Rosemary Sadler, president of the Ontario Black History Society.

I also want to take this opportunity to welcome to the House Ms. Noelle Richardson, who is the diversity officer with the OPS, and Mr. Cihak Thomas and Mr. Peter Slowly, whom I expect to join us today as well.

Interjection: There's Peter now.

Hon. Margaret R. Best: Oh, he is here today, and I would like to take this opportunity to welcome all of them to the Legislature today.

The Speaker (Hon. Steve Peters): I want to take this opportunity, on behalf of the member from York Centre and my good friend Maryam Nazemi, to welcome members from North York Community House, who are joining us in the west gallery today. Welcome to Queen's Park.

MEMBERS' STATEMENTS

HOSPITAL FUNDING

Mr. John O'Toole: I'd like to recognize the outstanding hospitals in my riding of Durham. They include the Uxbridge Cottage Hospital in Uxbridge, the Lakeridge Health site in Bowmanville, as well as Lakeridge Health in Port Perry.

Our communities stand behind their hospitals and their dedicated health care professionals. Unfortunately, it would seem that this government is not equally supportive of community hospitals like mine and others, including Peterborough.

Many small Ontario communities have had to fight to keep health care services such as emergency wards operating. I was concerned to read in the local media earlier this month that the Uxbridge Cottage Hospital's extended care ward may be in jeopardy. The details are more than I can mention in this short statement.

This government needs to assure community hospitals that it is indeed committed to their success and to their continued operation. Sadly, the money that has been squandered recently on eHealth—the boondoggle—could have gone a long way to supporting front-line health care at community hospitals.

I urge this government to be fully accountable, so that community hospitals have the funds they need, when they need them, to maintain their existing services and to serve their ridings. Even now, as we speak, this morning's question period was all about the LHINs and the lack of funding to communities and to the hospitals. I urge the minister to look into this immediately.

ROSE CITY SENIORS ACTIVITY CENTRE

Mr. Peter Kormos: On March 3 of this year, the Rose City Seniors Activity Centre in Welland is going to be celebrating its 20th anniversary. That's a Wednesday, and I fear that I may not be able to join those folks, unless of course there's a prorogation of this House, and there may well be, in which case I'll be joining them down there on Lincoln Street in Welland.

If I can't be there, I'm going to say now the things I would say to them. I was so proud, as a city councillor down in Welland some 22, 23 years ago—a very young

councillor—to be involved in the planning process for this seniors' centre. There were some skeptics, but over the course of the last two decades it has demonstrated itself to be an incredible success.

There's a \$9-million, 25,000-square-foot expansion that's going to have a therapeutic pool and hot tub, an expanded kitchen, a billiards room, new fitness facilities and an updated workshop.

I'm a frequent visitor and guest there. I'm always overwhelmed by the generous hospitality of the folks who frequent the seniors' centre in Welland, whether it's for lunch or for a special event or for the bingo they host from time to time, or the workshop, where woodworking takes place, along with 1,001 other activities.

I'm proud of these seniors. These seniors worked hard all of their lives, building things. In their senior years they are taking advantage of this opportunity to work together in a sense of collegiality and with a sense of sincere hope for their future and their grandchildren's future.

BRIAN WARREN

Mr. Mario Sergio: It may sound confusing, but this is an opportunity for me to expand on my earlier statement. I have to bring to the attention of the House again the presence of Brian Warren. He used to be a football player with the Toronto Argonauts: the winner of two Grey Cups and a player of excellence.

He has left the professional playing field and has entered so willingly and with so much dedication the community field, helping underprivileged children. Since he has started that, I have to say that I wish we had more people like Brian Warren, with so much spirit, so much dedication and so much will to do so much with our underprivileged children.

In less than 10 years he has managed to help, assist and provide young people with the tools necessary to do better in their lives. Some 40,000 children have been touched by Brian Warren. I hope that his work will continue, because in my own area, especially in the areas with the most need, I know he is doing tremendous work.

I hope that he will continue to work in the professional as well as the community field, and do much more than he has been doing. I encourage him to continue and wish him all the support he needs.

ROTARY CLUBS

Mr. Gerry Martiniuk: As a former Rotarian, I'm proud to rise in the Legislature today on behalf of Tim Hudak, leader of the official opposition, and the Progressive Conservative caucus, to pay tribute to the Rotary clubs of Cambridge, Ontario, and Canada, as they celebrate the 100th anniversary of Rotary in Canada.

This evening the Rotary clubs in my riding will gather for their annual all-club meeting. But this year's meeting is especially significant, as it marks a century of service and fellowship at home and to those in need around the world.

1510

Cambridge is blessed to have three thriving Rotary clubs: Cambridge North, Cambridge Preston/Hespeler and Cambridge Sunrise, and I sincerely thank each member for their dedication to making our world a better place. I commend the Rotary Clubs of Cambridge across Ontario as they celebrate 100 years of Service Above Self. Our Rotarians have a record to be proud of.

PROVIDENCE HEALTHCARE

Mr. Lorenzo Berardinetti: I rise today to speak about Providence Healthcare centre in my riding of Scarborough Southwest. I recently visited the Providence Healthcare hospital. This hospital is changing and improving how they care for people in a very fundamental and positive way.

Over the past year, Providence Healthcare has been making changes to the way they deliver care, and the results are impressive. They're seeing more patients with better outcomes and helping more patients home after their rehabilitation. Providence is now ready to do much more.

Over the next four to five years, Providence Healthcare will transform the way they care for people and their families. Their new approach will alleviate pressures on the health care system by moving patients in from acute care beds sooner, at a moment in time that is better for patients. With a more timely transfer to Providence for rehabilitation, patients will return home sooner with ongoing follow-up and support after their discharge. This will help reduce the possibility of another trip to emergency. Good patient care is built on good patient flow.

We salute the entire team at Providence Healthcare, including the management team headed by Neil McEvoy, for their tireless dedication to excellent patient care. With the help and support of their local health integration network and community care access centre, Providence Healthcare is making a bold, visionary move to help change the system radically and for the better.

CHILDREN'S AID SOCIETIES

Mr. Garfield Dunlop: I'm pleased to rise and I am very happy that Minister Broten, the Minister of Children and Youth Services, is in attendance here this afternoon because I wanted to say thank you to her for helping in a partial resolution to a problem we had in the Children's Aid Society of Simcoe County last week. The children's aid society is running a \$4-million deficit, and the minister announced a \$2-million sum of money to be presented on behalf of the children's aid society. That does help them get through the rest of this year.

I wanted to put on the record, though, that it's a partial resolution in Simcoe county. I believe across the province the funding formula for children's aid societies is flawed. In Simcoe county, we get \$73 per day per child, and it actually costs \$89 a day to operate the children's

aid society, whereas in the GTA, children's aid societies get about \$103 a day.

I'm hoping that as we move forward towards the provincial budget, the minister and the cabinet members can find a resolution so that we don't have to go through this each and every year. These are the most vulnerable, the most marginalized and the most challenged, disadvantaged children we have in our society. I know that with these hard economic times, demands on the children's aid society only increase, and we haven't even seen the brunt of that yet.

I thank all the members of the board of the children's aid society, I thank the minister and I thank all the clients who they serve in the county of Simcoe. I'm glad we got this resolved here last week.

YOUTH SERVICES BUREAU

Mr. Yasir Naqvi: This year, the Youth Services Bureau marks 50 years of service in the city of Ottawa. I want to offer my sincere thanks to their hard-working staff and volunteers, my praise to all the young people who have found shelter from the storms in their lives and made a better way through with the help of YSB, and my heartfelt congratulations on such an extraordinary anniversary to everyone who has played a role in making YSB such a valuable part of our community over these 50 years.

YSB was founded in 1960 to promote the general welfare of youth and to act as a clearing house for youth needs and services. By 1965, it was an independent charity with a mandate to meet the complex needs of youth and their families, from shelter to mental health support. By 2010, YSB was providing a broad range of services and expertise, including: youth and family counselling; mental health programs; emergency shelters; supportive housing; employment programs; youth justice programs; a 24-hour crisis line; and a health clinic and a drop-in centre for street-involved youth.

Impressively, their 350 staff serve between 2,500 and 3,000 families a month.

I have been privileged to work closely with executive director Alex Munter, former board president Brian Ford, current board president Chris Warburton, the youth advisory committee and the whole YSB team for the last three years. I have always been impressed with their dedication, vision and compassion to make a difference for at-risk youth in our community.

Thank you to the entire YSB team for all their hard work and dedication. May the next 50 years continue the legacy of the good work you do every day for our young people.

EDUCATION FUNDING

Mr. David Oraziotti: I rise in the House today to celebrate new investments in education in my riding of Sault Ste. Marie. This past week, the education minister, Algoma District School Board officials and I launched construction on the first new high school to be built in

our community in nearly 40 years. The new state-of-the-art infrastructure will provide the best possible learning environment for our young people and give them the best chance to succeed.

Nearly \$47 million in funding is being provided to build this new school. It is part of a number of new education infrastructure projects in Sault Ste. Marie, including a new elementary school that will begin construction this year, an expansion at St. Patrick's Catholic elementary school and an expansion of K-12 at Notre-Dame-des-Écoles. In total, over \$70 million in new school infrastructure is being built, in addition to funding that has been provided for repairs and upgrades to existing schools. In fact, we're investing over \$4.8 billion through the Good Places to Learn program to build and repair Ontario's schools, the largest investment by any government.

But this isn't just about buildings and new construction, it's about building great learning environments so our children can reach their full potential. Locally, \$27 million in new funding has meant that per-pupil support has increased by nearly 50%. Dropout rates are down, graduation rates are up and the implementation of full-day JK learning will initially take place at nine schools in Sault Ste. Marie.

We believe that making these investments in education means we are investing in our youth, in their quality of life and in a stronger Ontario.

CANADIAN WOMEN'S HOCKEY TEAM

Mr. Charles Sousa: It's my great pleasure to rise today to speak about both the 2010 Winter Olympic Games under way in Vancouver and one of our local athletes.

Jennifer Botterill, a resident in the great riding of Mississauga South, is currently in Vancouver competing as part of Canada's women's hockey team. As I'm sure members of the House are aware, our exceptional women's hockey team is enjoying some success—and early success—at the games. On February 13, they took on Slovakia and won decisively, and then on the 15th they beat Switzerland by a safe margin, earning themselves a spot in the semi-finals. Tonight they will face the Swedish team. I'd like to take this opportunity to inform the House and those watching at home that they can tune in to watch the game and cheer on our Canadian team at 5:30 p.m. eastern time.

It takes a lot of hard work and dedication to get to the Olympics, and our athletes need all the support they can get. That's why I'm so pleased that Ontario is doing its part. Jennifer is one of more than 1,100 athletes who receive support from Ontario's Quest for Gold program. The province is investing \$10 million in 2009-10 to help Ontario athletes, as well as their coaches, compete for gold.

We in south Mississauga are very proud of Jennifer and her outstanding achievement. I'm sure all members of the House will join me in wishing her and her team continued success. And to all of our Canadian athletes: Congratulations, and good luck. Go, Canada, go.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Bas Balkissoon: I beg leave to present a report from the Standing Committee on the Legislative Assembly, pursuant to standing order 111(b).

The Speaker (Hon. Steve Peters): Does the member wish to make a brief statement?

Mr. Bas Balkissoon: I'll pass; the report is pretty self-explanatory.

The Speaker (Hon. Steve Peters): Pursuant to standing order 111(b), the report is deemed to be adopted by the House.

Report deemed adopted.

INTRODUCTION OF BILLS

FULL DAY EARLY LEARNING STATUTE LAW AMENDMENT ACT, 2010

LOI DE 2010 MODIFIANT DES LOIS EN CE QUI CONCERNE L'APPRENTISSAGE DES JEUNES ENFANTS À TEMPS PLEIN

Mrs. Dombrowsky moved first reading of the following bill:

Bill 242, An Act to amend the Education Act and certain other Acts in relation to early childhood educators, junior kindergarten and kindergarten, extended day programs and certain other matters / Projet de loi 242, Loi modifiant la Loi sur l'éducation et d'autres lois en ce qui concerne les éducateurs de la petite enfance, la maternelle et le jardin d'enfants, les programmes de jour prolongé et d'autres questions.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement.

Hon. Leona Dombrowsky: I will make my statement during ministerial statements.

1520

MINING AMENDMENT ACT (RESOURCES PROCESSED IN ONTARIO), 2010

LOI DE 2010 MODIFIANT LA LOI SUR LES MINES (RESSOURCES TRANSFORMÉES EN ONTARIO)

Mr. Bisson moved first reading of the following bill:

Bill 243, An Act to amend the Mining Act to require resources to be processed in Ontario / Projet de loi 243,

Loi modifiant la Loi sur les mines afin d'exiger que les ressources soient transformées en Ontario.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. Gilles Bisson: You will know that the Xstrata smelter refinery is proposed to be closed this upcoming May. This particular bill aims to do what Newfoundland did in protecting those resources that are in Ontario to be processed in the province of Ontario. It's a similar bill to what was passed in Newfoundland when the Voisey's Bay mine was being planned to make sure that resources that are extracted from the province are processed within the province itself.

PUBLIC TRANSPORTATION
AND HIGHWAY IMPROVEMENT
AMENDMENT ACT
(NOISE REMEDIATION), 2010

LOI DE 2010 MODIFIANT
LA LOI SUR L'AMÉNAGEMENT
DES VOIES PUBLIQUES
ET DES TRANSPORTS EN COMMUN
(RÉDUCTION DU BRUIT)

Mr. Caplan moved first reading of the following bill:

Bill 244, An Act to amend the Public Transportation and Highway Improvement Act with respect to noise remediation / Projet de loi 244, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun en ce qui concerne la réduction du bruit.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Mr. David Caplan: This bill amends the Public Transportation and Highway Improvement Act to require the Minister of Transportation to assess noise levels on highways after their construction, extension or alteration. In the case where noise levels exceed the acceptable level by five decibels or more, the minister or the ministry is obliged to take all necessary steps to reduce the noise to an acceptable level within three years. The bill also requires the minister to establish and publish standards for acceptable noise levels for the operation of highways.

Over the years, residents in Don Valley East, in my community, have worked hard to remediate noise increases that have resulted from road repairs and other works on Highway 401, Highway 404 and the Don Valley Parkway, all of these which intersect at the heart of Don Valley East. With this bill, I hope to complement their extensive work and lobbying and put an end to the frustration caused by noise levels on highways.

MENINGITIS AWARENESS
DAY ACT, 2010

LOI DE 2010 SUR LE JOUR
DE LA SENSIBILISATION
À LA MÉNINGITE

Ms. Pendergast moved first reading of the following bill:

Bill 245, An Act to proclaim April 24 in each year as Meningitis Awareness Day / Projet de loi 245, Loi proclamant le 24 avril de chaque année Jour de la sensibilisation à la méningite.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The member for a short statement.

Ms. Leeanna Pendergast: The bill proclaims April 24 in each year as Meningitis Awareness Day. The purpose of the bill is to heighten awareness of meningitis and to share best practices, information and research, all essential to ensuring that no family loses a loved one to this terrible disease.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. James J. Bradley: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. James J. Bradley: I move that, notwithstanding standing order 98(g), notice for ballot item 64 be waived.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

STATEMENTS BY THE MINISTRY
AND RESPONSES

FULL-DAY KINDERGARTEN
JARDIN D'ENFANTS À TEMPS PLEIN

Hon. Leona Dombrowsky: I believe that everyone here today, indeed all Ontarians, would agree that education has the power to change lives, that it is the key to empowering citizens and to building a better future for all of us.

Over the past seven years, our government has worked hard to improve Ontario's education system and to give every student the opportunity to succeed and develop the skills necessary for future success. Full-day learning for four- and five-year-olds is the next essential step in our quest to make Ontario's education system the best in the world.

In September, approximately 35,000 children in nearly 600 schools across Ontario will benefit from an enriched, integrated, full day of learning. By 2015-16 we hope to provide all four- and five-year-olds with access to this exciting new program. Working side by side, a teacher and an early childhood educator will help children learn, play and grow during the regular school day.

Parents will also have the option to enrol their child in integrated before- and after-school programs where an early childhood educator will build on the activities of the regular school day. This will give children a seamless day in one location with continuous staffing, familiar faces and friends, where they feel safe and encouraged to learn, play and explore.

Ce nouveau programme facilitera aussi la vie des familles ontariennes.

Too many parents have to juggle their children's schedules between school and child care while worrying about work and other responsibilities. In addition to being more convenient for families, the long-term economic advantage of full-day learning will give Ontario a competitive edge in this global society.

Studies have shown that the return on public investment for young children is at least seven to one. That's why the government is taking action today to establish the legislative framework that forms the backbone of our new full-day learning program.

I'm pleased to stand in the House today to introduce the Full Day Early Learning Statute Law Amendment Act.

If passed, this legislation would amend the Education Act to mandate full-day learning. It would give school boards the responsibility and authority to implement full-day kindergarten, staffed during the regular school day by a teacher and an early childhood educator. It would also give school boards the responsibility and authority to implement the before- and after-school programs for those young children, led by an early childhood educator. As well, it would give boards the authority and the duty to set, charge and collect reasonable fees to recover the cost of these programs. This legislation would also give school boards the authority to offer extended-day programs for children aged four to 12, plus offer programs on days that are not regular instructional days, such as the summer holidays.

The Full Day Early Learning Statute Law Amendment Act, if passed, would recognize the new and unique role that early childhood educators play in the full-day learning classroom, both during the regular school day and when they lead the before- and after-school programs.

1530

This legislation would give school boards, principals, teachers and early childhood educators the support they need to successfully implement this exciting new program. It would ensure that when the program is fully implemented, every single four- and five-year-old child in Ontario will have access to a stellar full-day early learning program led by qualified staff.

This legislation is an essential part of the full-day learning program. This program is essential for giving

our younger students a brighter future, for giving our families the support they need and for building a stronger Ontario for all of us.

BLACK HISTORY MONTH

Hon. Margaret R. Best: I rise in the Ontario Legislature today to acknowledge Black History Month in Canada and in our great province of Ontario, and I want to take this opportunity to welcome our distinguished guests, friends and relatives who have joined us today.

As an African-Canadian, it is a privilege indeed to speak about Black History Month in this esteemed, historic institution, the Ontario Legislature, for the second consecutive year. This is important because the history of persons of African descent included a time when we were to be seen and not heard, our voices muted, our experiences given validation only when spoken of by persons not of African descent.

To infuse this statement with an analogy to African culture and heritage, it is said that many can sing the blues but few have lived the blues. Persons of African descent have both sung and lived the blues. However, our history is much more than the blues. This is a fundamental reason for Black History Month.

Black History Month was a vision of Dr. Carter G. Woodson, an African-American historian known as the father of black history. Dr. Woodson felt it was critical to set aside a time to recognize the rich heritage of persons of African descent and to raise awareness of the historical legacy of their positive contributions to society at large.

In December 1995, in collaboration with the Ontario Black History Society, the first black woman elected to the Parliament of Canada, the Honourable Jean Augustine, built on Dr. Woodson's legacy by introducing a motion to officially recognize February as Black History Month in Canada. Senator Donald Oliver, the first black man appointed to the Canadian Senate, introduced a similar Senate motion in 2008. Ontario is pleased to continue this time-honoured tradition.

I take this opportunity to recognize Dr. Rosemary Sadlier and the Ontario Black History Society for their role in the celebration and perpetuation of the rich history of African-Canadians.

Ontario has a legacy of pioneering legislators and policy-makers of African heritage, including the late Leonard A. Braithwaite, the Honourable Lincoln Alexander, Senator Anne Cools, the Honourable Jean Augustine, Dr. Alvin Curling, Mrs. Mary Anne Chambers, Ms. Zanana Akande and former city councillor Dr. Bev Salmon.

Others across Canada include Her Excellency Michaëlle Jean, the Honourable Mayann Francis, the Honourable Lindsay Blackett, Ms. Hedy Fry, the Honourable Yolande James and the late Rosemary Brown.

But black history is about much more. It is about the past, it is about the present and the future of a people, a people of African heritage, and the important contributions that we have made and continue to make to our great province of Ontario and our country of Canada.

As we celebrate the 2010 Winter Olympics in Canada, it is apropos to recognize the late Harry Jerome, a black Canadian who set the standard as the world's fastest man of his time, representing Canada at two Pan American Games and Commonwealth Games and three Olympics. I was indeed privileged to visit the statue of Harry Jerome in Vancouver's Stanley Park.

It is about the black Ontario public service employees and their continued efforts to promote the important contributions of African Canadians to our great province.

Our history, the history of black Canadians, is enriched by our young people. Last year, I was pleased to meet extraordinary young Ontarians, including P.K. Subban, who made history in 2009, winning gold as a member of the gold medal 2008-09 Canada world junior hockey team; Ontario's Shelley-Ann Brown, an Ontario Quest for Gold athlete and a member of the Ontario 2010 Winter Olympic team; and Dr. Naana Afua Jumah, a Rhodes scholar, a graduate of Oxford University with a doctorate degree in medical engineering and a cum laude graduate of Harvard Medical School, who is presently completing her residency at the University of Toronto. These young people are but a glimpse into our future: a future built on historical legacies of African Canadians, a future bright with possibilities.

A black history is a rich culture, a way of life, a legacy that began in Africa, the motherland, prior to the middle passage and the bondage of slavery, segregation, racism and oppression, to the Underground Railroad, to freedom, voting rights, desegregation and integration. From pioneers of communities with strong African-Canadian historical ties—Dresden, Buxton, Owen Sound and Toronto—African-Canadians continue to work diligently to influence and shape the fabric of our great province of Ontario and beyond.

The history of African-Canadians is a shared history that knows no boundaries. It is informed, affected and shaped by our global neighbours. It is therefore fitting for us to recognize and continue to support our Haitian brothers and sisters as they regroup after experiencing a calamity of untold proportions.

In closing, I ask all members of this Ontario Legislature to join me in recognizing Black History Month. To paraphrase the words of a person of African descent who inspired millions, including our own Dr. Charles Pascal, who told me just today that he had the pleasure of meeting Dr. Martin Luther King, he said, "Now is the time to remind [all Canadians] of the fierce urgency of now." Now is the time not only to celebrate, but it is also the time to make a difference in shaping our future—the future of our province for persons of African descent—because what affects one of us affects all of us. We are inextricably joined by our ties to our home, this great province of Ontario in this great country of Canada.

The Speaker (Hon. Steve Peters): Responses?

FULL-DAY KINDERGARTEN

Mrs. Elizabeth Witmer: I'm pleased to respond on behalf of the Progressive Conservative caucus. I would

begin by saying that our caucus has always recognized the importance of expanding early years child development. In fact, we commissioned the early years report by Fraser Mustard and the Honourable Margaret McCain, and we did introduce programs subsequently to ensure that young children had the best possible opportunity to move forward.

Today, as I look at this, I'm also cognizant of the fact that not everyone in the province thus far is quite as optimistic about this program as we might like to think they are. We've certainly heard from trustees and some in the educational field that the development of this program has perhaps not been as carefully thought out as it might possibly have been. There are going to be children who are living in communities side by side where one may go to the separate school and another to the public school. Obviously one parent will have to continue to pay for child care and the other will not, and that is creating some concerns in communities throughout the province. I've certainly heard from those parents. They've also indicated that they don't know yet when their child will qualify for the program, and so they do feel there's some unfairness in the way the program is being developed.

1540

Certainly one of the concerns our party has also had is how the government is going to pay for this program. The program is going to cost the taxpayers of this province more than \$1.5 billion when it's fully up and running. That doesn't include the additional capital costs because additional physical space is going to be required. That is also causing some concern for school boards that simply don't have the physical capacity, and it's going to determine when certain areas in this province actually do have the space to accommodate children in the program. But it's also going to drive up the cost well beyond \$1.5 billion.

We have to remember that we have a deficit of almost \$25 billion. That's important to keep in mind, because at the other end of the spectrum we have unemployed and we have grade 12 students who are competing for post-secondary spots at our colleges and universities and entry into apprenticeship programs, and the government isn't providing the growth funding that's needed. Again, if we're going to grow our economy, if we're going to be competitive, we have to make sure that those who are unemployed and those who are graduating from grade 12 are given opportunities to access post-secondary education and apprenticeship.

There are some challenges that we face in the province today, and there are concerns about the cost of this program and the implementation or the fact that it probably wasn't as well considered as it could have been.

BLACK HISTORY MONTH

Mr. Ted Arnott: I too want to welcome and express our thanks to the Ontario Black History Society and its president, Dr. Rosemary Sadlier. It has been a pleasure to become better acquainted with Rosemary. She's an

outstanding Ontarian, and her volunteer public service is a model for the rest of us.

I had the pleasure of working with her in 2008 to introduce in this House a bill to recognize August 1 as Emancipation Day in Ontario. In fact, it was the very first bill introduced in this House standing in the name of two MPPs from different political parties. In a non-partisan spirit of co-operation across party lines, the member for Lambton-Kent-Middlesex and I co-sponsored Bill 111 and Dr. Sadlier got behind it. In fact, I believe Rosemary deserves as much credit as any MPP in this House for its passage. We are all very proud that one of the most significant milestones in black history in the British Empire is now enshrined in the laws of the province of Ontario.

The theme of this year's Black History Month, The Time is Now, is especially appropriate. There is no better time than the present to celebrate the outstanding and varied contributions made by Canadians of African ancestry. You have every reason to be proud as Canadians, proud of your heritage and proud of the important part you played in building one of the most admired nations in the world.

On behalf of our leader, Tim Hudak, and the entire Ontario PC caucus, please accept our warmest congratulations and best wishes for continued success in your important work to raise awareness of our shared history.

FULL-DAY KINDERGARTEN

Mr. Rosario Marchese: New Democrats support the implementation of full-day learning for four- and five-year-olds. We have stated that in the past; we continue to say it. We have said that we had this in our 1999 platform, so it would be an obvious thing for New Democrats to be supporting it when Liberals decide that they're going to introduce it. So that's not a big deal for us.

We know—and there is a “but”—that there is going to be a great deal of accommodation that has to be made between the regular teacher and the early childhood educators. They are uncomfortable, each with the other, in terms of having to share space, and each of the respective individuals is going to have to make some changes. We believe it will work. We don't know how the government is going to do it, because they haven't laid that out yet in terms of the distribution of the workload or how that's going to work. But I am optimistic that somehow it will, without any information from the government. We are optimistic that the government will lay this out so that the critic will be able to say, “Good job,” or, “No, you haven't done a good job.”

We've got a problem, and I've got to tell you: Capping was something that the Liberals introduced at the primary grades. They said that capping was something that was important to do. They tracked the early years and they did it well, but they didn't track grades 4 to 8, which proved that increased class sizes happen from grades 4 to 8 as a result of the capping, and that is a problem.

There are a number of other problems here that I want to speak to. We will have the time to be able to address them, but we want to give our leader enough time to be able to respond to the other statement.

BLACK HISTORY MONTH

Ms. Andrea Horwath: I regret that I only have a very few short minutes to respond to the statement on Black History Month, but it is a great honour for me to be able to rise and do that today.

Today we look back in celebration of more than 400 years of African-Canadian history. We also look ahead to the challenges that we still need to overcome.

The celebration of Black History Month ensures that we do not forget our proud shared legacy of living in a Canada whose shores have long meant the promise of safety, liberty and justice. This is the Canada that should give us a renewed sense of pride as we look back this month at the watershed events that forever shaped the history that we share.

At the same time, Black History Month gives us pause to remember that in pre-federation Canada, white people owned black slaves in this country as well. We can't forget that. The enduring story of the Underground Railroad is perhaps an easier one to tell, but the story of slave ownership in our own country is one we must remember also. Just as we remember Harriet Tubman, we have a responsibility not to forget that the first named enslaved African to reside in this country was a six-year-old boy who arrived in 1628 and was sold several times. This too is part of our history and should remind us of our continued responsibility to stand up against racism wherever and whenever we confront it today.

We must also embrace Black History Month as an opportunity to take on today's challenges. New Democrats recognize that Black History Month is an opportunity to remind ourselves of the work we still have left to do. Earlier this month, the United Way of Greater Toronto and Women's College Hospital were recognized with a DiverseCity award for embracing diversity at the highest levels of their organizations. United Way and Women's College Hospital were lauded because the people who hold some of those organizations' most senior positions reflect the same diversity we find in the communities that we live in.

These awards are a welcome challenge to all of us. Our Ontario is not yet fully representative of the diversity that we see across our province. We need to keep moving forward.

What are our challenges? In recent years we've received public reports that talk about the colour of poverty, public reports like the roots of violence report. What do these reports show us? They show us very clearly the racialization of poverty in the province of Ontario. They show us that racialized minorities are three times more likely to be poor in this province than anybody else. Any real strategies of poverty reduction have to talk to the issues of racialization of poverty. We

have to take this information and use it to make the real change.

We still have racial profiling in the province of Ontario. We have a Premier who didn't want to have black-focused schools in this province. These are the challenges that to this day we still face.

We know that a diverse, inclusive society of opportunity improves the lives of each of us. Racism, then as now, hurts us all.

As we celebrate Black History Month, let us reaffirm our commitment to building a society where the doors of opportunity are open equally, everywhere, for everyone.

PETITIONS

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's plan to 'harmonize' the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services;

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet and even funeral services; and

1550

"Whereas Ontario taxpayers cannot afford this tax grab—particularly in the middle of a recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

I'm pleased to give it to page Colin.

RAIL LINE EXPANSION

Ms. Cheri DiNovo: My petition to the Legislative Assembly of Ontario reads as follows:

"Whereas Metrolinx, an agency of the government of Ontario, is planning an eightfold expansion in diesel rail traffic from 50 trains per day to over 400 trains per day in the Georgetown corridor, which cuts through west-end neighbourhoods including Liberty Village, Parkdale, Roncesvalles, the Junction and Weston; and

"Whereas this expansion will make this the busiest diesel rail corridor on the planet; and

"Whereas exhaust from diesel locomotives is a known danger to public health, linked to cardiovascular disease, respiratory disease, cancers and premature death; and

"Whereas diesel exhaust poses an especially potent danger to children and the elderly; and

"Whereas diesel trains are harmful to the environment and contribute to climate change and are also heavy, loud and disruptive to neighbourhoods and local quality of life; and

"Whereas over 250,000 people live within one kilometre of this line and 30,000 children attend one of more than 200 schools within one kilometre of the tracks;

"Therefore we, the undersigned are concerned citizens who urge our leaders to act now to ensure that the rail expansion in the Georgetown south rail corridor, including the air-rail link, be electrified from the outset and that there be no further expenditure on diesel technology."

I absolutely agree with this and add my name to the thousands that have already been presented, and I will give it to Quinton to be delivered.

CLIMATE CHANGE

Mr. Phil McNeely: My petition is from a group at St. Mark High School. It's to the Legislative Assembly of Ontario.

"Whereas the United Nations Intergovernmental Panel on Climate Change, in its 2007 report, concluded that without dramatic reductions in human-induced carbon dioxide emissions, climate change may bring 'abrupt and irreversible effects on oceans, glaciers, land, coastlines and species;' and

"Whereas no one group, country or continent is responsible for climate change, but where all human beings are collectively responsible for solving the problem; and

"Whereas the production of greenhouse gases in Canada has increased by 27% over 1990 levels; and

"Whereas our elected leaders have a responsibility to report to the public on their actions with respect to halting climate change for the sake of accountability; and

"Whereas youth in particular have a special interest in this issue, being those that will inherit this earth, our only home.

"We, the undersigned, petition the Legislative Assembly as follows:

"That the Legislative Assembly of Ontario swiftly pass Bill 208, An Act to increase awareness of climate change."

It was submitted by Nancy-Anne Giroux, Justin Benoit and Leah Bertrand and many more. I'll send this down with Jordan.

HOSPITAL FUNDING

Mr. John O'Toole: I did a statement this morning on health care and I'm reading petitions this afternoon on health care. It reads as follows:

"Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health Bowmanville; and

"Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville's hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

"Whereas Clarington is a growing community of over 80,000; and

"Whereas we support the continuation of the Lake-ridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

"Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government take the necessary actions to fund our hospitals equally and fairly. And furthermore, we request that the clinical services plan of the Central East LHIN address the need for the Bowmanville hospital to continue to offer a complete range of services appropriate for the growing community of Clarington."

A couple of signatures are from Mary Peldiak and Eddie Peldiak from Newcastle. Thank you to all the constituents, and I present it to Christopher.

DIAGNOSTIC SERVICES

M^{me} France Gélinas: I'd like to present this petition from the people of Sudbury and Nickel Belt. It reads as follows:

"Whereas the Ontario government is making ... PET scanning a publicly insured health service available to cancer and cardiac patients...; and

"Whereas by October 2009, insured PET scans will be performed in Ottawa, London, Toronto, Hamilton and Thunder Bay; and

"Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with the Sudbury Regional Hospital, its regional cancer program and the Northern Ontario School of Medicine;

"We, the undersigned, petition the Legislative Assembly of Ontario to make PET scans available through the Sudbury Regional Hospital, thereby serving and providing equitable access to the citizens of northeastern Ontario."

I fully support this petition, will affix my name to it and send it to the table with page Jordan.

HEALTH CARE

Mr. Norm Miller: I have a petition to do with health care in Parry Sound-Muskoka, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas Muskoka Algonquin Healthcare has undertaken an operational audit to identify efficiencies and reduce costs; and

"Whereas we recognize that the status quo is not an option; and

"Whereas rehab services are of paramount concern to the residents of the region where income levels exclude them from accessing other alternatives; and

"Whereas the deficit recovery plan will not balance the budget;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health provide additional operational funding of 5% amounting to \$3.4 million to ensure the continuation of services as described in the deficit reduction plan submitted to the North Simcoe Muskoka LHIN dated January 29, 2010."

I'm pleased to support this and give it to Haleigh.

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's plan to harmonize the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services; and

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab, particularly in the middle of a recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

I'm pleased to give it to page Arusa, as I am in complete agreement.

TAXATION

Ms. Lisa MacLeod: It's my pleasure to introduce a petition today to stop the Dalton sales tax.

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax ... represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

"This new tax, which we are calling the ... Dalton sales tax, will raise the cost of a long list of goods and services not previously subject to provincial sales tax, including"—but not limited to—"electricity; home heating oil and gas at the pump; haircuts; magazines; Internet; home renovations; heating; air-conditioning repairs; accounting, legal and real estate fees; condo fees; new home sales; rents will also go up; minor hockey registration fees will increase; and green fees and gym fees will also be taxed"—I think there might have been an error in this petition on one of the items, but this petition has been going on for several months;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families"—their seniors—"and businesses."

I 100% agree with this petition, and I'll affix my signature.

Interjections.

TAXATION

Mr. John Yakabuski: I can't believe these folks heckle petitions. We're only representing the people of Ontario when we read these.

"Whereas the McGuinty government's plan to harmonize the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services; and

1600

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab—particularly in the middle of a recession;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

I support this petition, affix my signature to it and send it down with page Jullian.

TAXATION

Mr. Norm Miller: I'm pleased to present a petition with regard to the McGuinty sales tax. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the McGuinty government is planning to merge the 8% provincial sales tax and the 5% federal sales tax; and

"Whereas the new 13% sales tax will be applied to products and services not previously subject to provincial sales tax such as gasoline, home heating fuels, home renovations, haircuts, hamburgers, television service, Internet service, telephone and cell services, taxi fees, bus, train and airplane tickets, and dry cleaning services; and

"Whereas rural and northern Ontarians will be particularly hard hit by Mr. McGuinty's new sales tax, as will seniors and families;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government should eliminate the new sales tax."

I support this petition.

TAXATION

Mrs. Joyce Savoline: "To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty's plan to blend the PST with the GST into one 13% harmonized sales tax (HST) represents one of the largest tax hikes in Ontario history, at a time when families and businesses can least afford it; and

"This new tax, which we are calling the DST (Dalton sales tax), will raise the cost of a long list of goods and services previously not subject to provincial sales tax. These are including: electricity; home heating oil and gas at the pump; haircuts; magazines; Internet and cable, home renovations; heating and air-conditioning repairs; accounting, legal and real estate fees; condo fees; new home sales; rents will also go up; minor hockey registration fees will increase; and green fees and gym fees will also be taxed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government not impose this new tax on Ontario's hard-working families and businesses."

I agree with this petition. I will affix my name thereto and give it to page Colin.

CLIMATE CHANGE

Mr. Phil McNeely: I have a petition from St. Mark High School kids Michael McMeekin, Westin Manor and Heather Mackenzie.

"To the Legislative Assembly of Ontario:

"Whereas the United Nations Intergovernmental Panel on Climate Change, in its 2007 report, concluded that without dramatic reductions in human-induced carbon dioxide emissions, climate change may bring 'abrupt and irreversible effects on oceans, glaciers, land, coastlines and species;' and

"Whereas no one group, country or continent is responsible for climate change, but where all human beings are collectively responsible for solving the problem; and

"Whereas the production of greenhouse gases in Canada has increased by 27% over 1990 levels; and

"Whereas our elected leaders have a responsibility to report to the public on their actions with respect to halting climate change for the sake of accountability; and

"Whereas youth in particular have a special interest in this issue, being those that will inherit this earth, our only home.

"We, the undersigned, petition the Legislative Assembly as follows:

"That the Legislative Assembly of Ontario swiftly pass Bill 208, An Act to increase awareness of climate change."

I support this and send it along through Jordan.

The Speaker (Hon. Steve Peters): The time for petitions has ended. Orders of the day.

Hon. James J. Bradley: Before I call orders of the day, I should note that John Yakabuski has a very special occasion today: He has a fundraiser at the Albany Club at 6 o'clock tonight.

Mr. John Yakabuski: That good Conservative club.

Hon. James J. Bradley: So for all Conservatives out there who don't know, they can attend.

ORDERS OF THE DAY

PENSION BENEFITS AMENDMENT ACT, 2010

LOI DE 2010 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE

Mr. Bradley, on behalf of **Mr. Duncan,** moved second reading of Bill 236, An Act to amend the Pension Benefits Act / Projet de loi 236, Loi modifiant la Loi sur les régimes de retraite.

The Speaker (Hon. Steve Peters): Debate?

Hon. James J. Bradley: I will be turning my time over to the parliamentary assistant for the Minister of Finance.

Mr. Wayne Arthurs: It's great to be back after our winter recess and to have the opportunity today to lead off the second reading debate on what will be an ongoing process—one that obviously is important to both retirees in Ontario and those in the workforce, who will someday retire from their employment—as well as an opportunity to reflect upon some of the good work that has been done by government and those appointed by government on this important file. I'm pleased to stand in the House today for the second reading of the Pension Benefits Amendment Act, 2009.

As outlined in the recent 2009 Ontario economic outlook and fiscal review, the current global downturn has had a significant impact on Ontario families and businesses. That's something that surprises none of us in this room or throughout the province of Ontario. Through no fault of our own, we are now living through the greatest economic downturn since the Great Depression of the late 1920s and early 1930s. That is why this government has been taking proactive steps to ensure that when the economy returns to normal, we'll be well-positioned to lead the rest of the world in recovering. One of the ways in which we can do this is to update our employment pension system.

First, I'd like to provide a bit of historical context on the pension system in Ontario, courtesy of the report of the Expert Commission on Pensions. It was titled *A Fine Balance: Safe Pensions, Affordable Plans, Fair Rules*. This will take a bit of time this afternoon, but think having the context is important both for those of us here and for Ontarians either in a pension system or contemplating one in the future.

"Ontario workers have been receiving" what we refer to as "occupational" pensions, provided by their employers, since the middle of the 19th century." Some wouldn't think that the pension system in Ontario had been around for that long. "Reports and studies on the pension system can be traced almost to its inception, but at least as far back as 1889. A central theme of these studies, of pension policy debates throughout the 20th century and of current discourse has been the issue of whether pensions should be provided directly by the state" in the form of a government pension, "by employers under a legal obligation to provide them; or by employers acting either 'voluntarily' ... to faithful, long-serving employees, to aid the recruitment and retention of workers or to satisfy the" collectively bargained agreements within a unionized environment. "At stake, of course, were—and still are—issues such as" pension coverage, "how the pension system should be financed and by what means and to what extent it should be regulated.

"By the mid-20th century, occupational pensions were becoming more common in large unionized workplaces, especially in the public sector, and were increasingly available in large, non-unionized enterprises. Nonetheless, the controversy over who should provide pensions continued." Should it be the state, the employer or some combination involving employees? "In this province, it reached a crucial stage in 1960 when the Conservative government of that day appointed the Ontario Committee on Portable Pensions. The committee's reports in 1961 and 1962 made clear its conviction that no system, short of a universal, contributory system, would achieve desired levels of coverage or solve the problem of pension portability." It's some 50-plus years later, and the debate still continues. "However, instead of a state-administered scheme, the committee proposed that all employers with 15 or more employees be required to provide pension coverage to their employees, funded by contributions from both parties"—employers and employees. "To facilitate the operation of this scheme, it proposed the enactment of a pension benefits act and the establishment of two bodies. The first, the Pension Commission of Ontario (PCO), was to exercise regulatory oversight of the pension system. The second, the central pension agency, was to be a federally chartered, privately funded corporation, with a mandate to provide administrative and investment services in support of employer-sponsored plans and to facilitate pension portability.

1610

"The committee's recommendations were accepted and the legislation it proposed was enacted in 1963. But before the Pension Benefits Act could be implemented, the introduction in 1965 of the compulsory, contributory and universal Canada pension plan (CPP) radically altered the policy landscape. While CPP pensions were relatively modest (as were other age-related social supports), from this point forward it was generally assumed that, for better or worse, 'voluntary' occupational

pensions would continue to exist alongside the CPP rather than be replaced by it. Consequently, Ontario's pension system" emerged as "a number of independent plans sponsored by individual employers or groups of employers, governed by these sponsors either alone or in collaboration with workers and their representatives, and sometimes funded by member as well as sponsor contributions.

"Naturally enough, pressures arose to regulate those plans with a view to ensuring that they delivered the promised pensions. New regulatory measures were enacted to strengthen the financial integrity of the various independent plans." The debate continues, as we have it today, with some of the very same issues still facing governments and still facing pensions. "The PCO, established in 1963, was originally given a broad mandate to 'promote the establishment, extension and improvement of pension plans throughout Ontario,' and later acquired some policy-making capacity and extensive regulatory powers commensurate with its mandate.

"However, it soon became clear that not all problems relating to occupational pension schemes had been laid to rest by the enactment of the 1963 Ontario statute or the advent of the CPP in 1965. On the contrary; in 1977 the Commission on the Status of Pensions in Ontario (the Haley commission) was appointed to address, among other things, the very concerns identified by the 1960 committee"—adequacy of coverage and the portability of pensions. "The Haley commission ultimately endorsed the analysis of the earlier committee and recommended that Ontario adopt a universal, compulsory and contributory pension scheme—but its recommendations were not accepted.

"On the other hand, during the 1980s more pragmatic legislative initiatives were undertaken to protect the interests of active and retired members under occupational pension plans.... A revised Pension Benefits Act consolidated these changes in 1987, the last occasion on which the legislation was comprehensively reviewed and amended"—some 20-odd years ago.

"Controversies concerning funding began to dominate the policy agenda" as early as the 1980s, and continue to do so even today. "Sponsors and active and retired plan members have asserted conflicting claims to ownership or control of surplus funds; debated the propriety of contribution holidays; and expressed widely differing views on how rapidly, by what means, and to what extent funding deficits ought to be made good. Some of these controversies were resolved by ad hoc amendments, consolidated into the Pension Benefits Act 1987, and regulations."

Additional funding controversies were provoked by the restructuring of Ontario's public and private sectors during the 1990s, which triggered mergers, acquisitions, full and partial wind up plans, asset transfers, insolvencies, near insolvencies, and the often involuntary relocation of active members from one plan to another, or from a job with pension coverage to one without. Those of us in this place will recall some of those restructurings

that occurred and have dealt with, even in this place, some of those pensioners under the motions on the floor here in regard to pensioners who are yet trying to resolve pension-transfer issues.

Finally, though, turbulence in the financial markets, especially in the years following 2000, has raised many difficult questions concerning the funding status of plans and the adequacy of regulatory oversight and intervention. These controversies have had to be addressed within a legal regulatory framework that itself was experiencing rapid changes.

In 1998, the Pension Commission of Ontario was replaced by FSCO, the Financial Services Commission of Ontario, which, unlike its predecessor, regulates not only pension plans but also credit unions, co-operatives, and insurance, loan and mortgage companies—a much broader mandate. The result, some contend, is that pension law, policy and adjudication now reside within a regime whose primary focus is the regulation of financial markets. At the same time, the PCO's adjudicative functions were transferred to a quasi-independent body, the Financial Services Tribunal, whose mandate tracks that of FSCO.

At the same time, the elaboration of pension law and the interpretation of pension legislation has come to be shared with the courts. This occurred both in the context of judicial review proceedings brought against FSCO and the FST, and, following the *Dominion Stores* case in 1986, in the context of civil proceedings based primarily on the general laws of trust.

Furthermore, over the past two decades insolvency litigation has acquired increasing significance for pension plans, as many Ontario companies with plans have found themselves in difficulty in this new global economy. Judicial rulings have been seen by some as conferring new rights on plan members and imposing new obligations on sponsors, and by others as clarifying rights and enforcing obligations that have existed all along. However, quite apart from their substantive merits and precedential effects, some observers fear that increased recourse to the courts to determine pension rights has introduced new litigation-related costs and uncertainties into pension plan administration and its regulations.

The recent development of pension policy is further complicated by its intertwining, beginning early in the 20th century, with income tax policy and administration. On the one hand, the federal Income Tax Act, the ITA, by treating contributions as a deductible business expense, provided incentives to employers to establish and maintain occupational pension plans. On the other hand, by sheltering their deferred income from taxation until they retired, it provided incentives for workers to participate in such plans. Indeed, for some years, until 1991, when it levelled the playing field and introduced a more integrated retirement savings system, the Income Tax Act provided more favourable treatment to retirement savings based on defined-benefit plans than to other savings vehicles such as individual retirement savings plans.

Today, the retirement income system is comprised really of three pillars. Two programs, both administered by the federal government and financed out of general tax revenues, comprise the first of those three pillars: the old-age security system, or OAS, and the guaranteed income supplement, the GIS. The OAS and the GIS combine to provide a minimum income guarantee for older Canadians. Most provinces, though, provide income-tested top-ups to the OAS and the GIS.

1620

The Canada pension plan makes up the second of the three pillars. The CPP is a compulsory earnings-related program that replaces 25% of pre-retirement earnings up to average wages and salaries. When combined with the OAS and the GIS, the Canada pension plan allows a person with half average wages and salaries to maintain their standard of living in retirement.

For people with higher-level earnings, however, additional income is still needed from the third pillar to meet their objectives. The third pillar, made up of privately administered employer pension plans and registered retirement savings plans, is extremely diverse. Certainly, this doesn't take into account any individual savings or assets that one might acquire in addition to pensionable amounts or retirement savings registered plans.

The third pillar is privately administered but receives government support in the form of special tax measures or special tax treatment. It also has substantive regulatory oversight. The employment pension plans may be either defined benefit or defined contribution. Those of us in this place are familiar with the terminologies and the distinctions. A growing number combine elements of both a defined benefit plan and a defined contribution plan.

Until just recently, male employees were more likely than female employees to be EPP members, but that's no longer the case. As we see more and more of the female workforce spending longer time in the workforce, we're finding more of them in pension systems.

The economy of our province receives tremendous advantages from a healthy pension plan. Our economy generally benefits from the ability of Ontario retirees having retirement incomes, as they can use their incomes to pay for goods and services. Their retirement income in turn generates jobs for younger Ontarians, and when Ontario retirees can pay for these goods and services with their own pensions, it helps to reduce the need for higher taxes.

Over the coming 20 years, the proportion of the population over 65 will nearly double, from the current roughly 13.5% to some 23%-plus in 2030, and continue to increase to over 25% by 2075. One in four of the population will be in retirement at that time. Thus, the success or lack thereof that is achieved in providing adequate incomes to the older and largely retired population will have an increasing impact on the economic and social well-being of the population in general.

As Ontario's population ages and more and more Ontarians reach retirement age, it is critical we take the

necessary steps to ensure that we do all we can to preserve the spending power of seniors. This is crucial to the health of our economy. More importantly, we have an obligation to create the strongest environment for the financial security of Ontarians in their retirement because they've earned that from their government. It is their hard work and dedication that has driven the economy of our province and made it such an attractive place to live and invest. Ontario's workforce has built the quality of life that we enjoy, and they've earned the right to continue to enjoy it upon their retirement.

I'd also like to point out that after the chartered banks, pension plans have become the largest single source of investment capital in Canada and almost certainly within Ontario. As such, pension plans are vital suppliers of the capital that increases productivity and stimulates long-term economic growth. It is therefore in our best interests to ensure that pension plans in Ontario remain healthy and solvent, to serve as partners for building and maintaining a strong future for this province, as well as to provide the essential financial support for hard-working Ontarians in their retirement.

This government recognizes that despite the vital importance of pension plans to the health of Ontario's economy, it has been more than 20 years since there has been significant pension reform in this province. This government recognized the need for significant reform, with the Honourable Greg Sorbara, then Minister of Finance, establishing the Expert Commission on Pensions in November 2006. The commission was set up specifically to examine the legislation that governs the funding of defined benefit plans in Ontario; the rules relating to pension benefits, deficits and surpluses; and other issues relating to the security, viability and sustainability of the pension system in Ontario.

The commission began with the release of a discussion paper in February 2007. This paper posed a series of propositions and questions about pension policy to all Ontarians: stakeholders, experts and interested citizens. The process continued through 11 days of public hearings in October and November 2007 in five Ontario cities. The participation was quite remarkable. There were 74 organizations and individuals that presented formal briefs. A further 53 individuals and groups made presentations informally to the commission staff at the hearings, electronically or by letter.

While the stakeholders' views were often very strongly held, virtually all of them voiced support for the efforts of the commission and offered co-operation in the process that would lead to outcomes that would be beneficial and acceptable not only to themselves but also to the other stakeholders. We wish to thank all of those who participated in that process for their commitment to making our employment pension plan system in Ontario stronger yet.

Finally, the commission incorporated non-partisan, high-quality research. After consulting with some 60 experts in the field at meetings in February, March and April 2007, it devised a research program comprising 17

studies by independent experts from across Canada and in several other jurisdictions.

As an aside, in his report Commissioner Harry Arthurs details the evolution of the pension system in Ontario. He states that “while the system we know has some continuities with the past, a good deal has changed. For one example, occupational pensions have come to be seen less as largesse conferred”—on employees—“by employers and more as entitlements earned by workers as part of the total compensation promised them in the wage bargain.” This is a much-altered perspective, and it has “led to pension plans achieving the status of virtual financial subsidiaries of the sponsoring firm, whose financial well-being may be intimately intertwined with that of the plan. And of course, in unionized workplaces, that has led to pensions becoming the focus at times of very intense negotiations. Another example: Pensions are increasingly perceived not just as a series of bargains struck in individual workplaces, but as a quasi-system whose fate has significant implications for the province’s social policy and economic well-being.”

Very recently during the current economic climate, we’ve had the opportunity to view, through the media and elsewhere, the implications of pension plans on the economic stability of this country and, might I say, the world.

1630

In one more instance, the role of the law and legal systems in regulatory institutions has become much more prominent. In 1961, the Ontario Committee on Portable Pensions could dismiss the issue in a few lines, saying that “while lawsuits arising out of pension trusts had occurred in the United States, it was not aware of similar litigation in Canada.” That could hardly be said today.

This government is grateful for the extensive work that was undertaken by the Expert Commission on Pensions. The research, expertise and recommendations of the commission informed this government’s proposed reforms contained in the Pension Benefits Act, 2009, and in further pension reform legislation that we will be introducing later this year. I think it’s important just to reinforce that this is one piece of legislation; there is other legislation to follow later in the year. This is not an effort to cover all of the bases in one fell swoop.

Indeed, one of the final conclusions of the report stated that, “Delay must be avoided if at all possible. The time for moving ahead is now. The commission’s engagement with stakeholders was extensive and arguably unprecedented; its research represents a significant increment to previous knowledge—though much remains to be done; its review of the issues is comprehensive in scope, if sometimes controversial; and the issues are ripe for resolution.”

This government agrees that the time for moving ahead is now. By introducing the Pension Benefits Amendment Act, 2009, we’re going to meet that particular challenge.

With the 2009 Ontario budget, the government committed to addressing the short-term economic challenges

that pension plans are faced with while moving forward with long-term reforms to strengthen the pension system for Ontarians and increase Ontario’s competitiveness. We continue to undertake these reforms while guided by the following principles:

- first, transparency: We want to ensure that mechanisms are in place for stakeholder feedback and posting proposed regulatory changes;

- secondly, balance: considering both benefit security and plan affordability;

- the third principle is one of co-operation: collaborating productively with federal and provincial partners, including harmonizing rules with other jurisdictions where possible;

- clarity: striving for clear, user-friendly rules;

- coverage: striving to expand pension coverage for Ontarians;

- competitiveness: ensuring that any changes position Ontario for long-term economic success; and

- flexibility: the capacity to respond to current economic challenges.

Indeed, since March 2009—and already we’re well into 2010—Ontario has taken a number of important steps to modernize Ontario’s employment pension system. For example, the government introduced a temporary solvency funding relief program to protect jobs and families. It has worked to simplify pension division when a marriage ends. It has initiated the first-ever actuarial study to examine the future of the pension benefits guarantee fund.

It has established the Advisory Council on Pensions and Retirement Income, whose mandate is to assist the Minister of Finance in the modernization of pension regulation by providing feedback on ministry proposals, by providing candid and practical feedback on implementation issues, and helping the ministry ensure that proposals for pension reform continue to be informed by a broad range of stakeholders.

This government also initiated technical discussions with the Canadian Institute of Actuaries about funding rules for defined benefit pension plans.

The government is also actively participating in a broader national discussion about improving the Canadian retirement income system. In this regard, Minister Duncan recently met with his provincial counterparts in Whitehorse, where they had productive discussions about the future of pensions for all Canadians. We expect and plan to continue these discussions early this summer.

As part of our plan for reforming the pension system in Ontario and building on recommendations from the Expert Commission on Pensions, this government has introduced the Pension Benefits Amendment Act, 2009. This reform package addresses many significant issues, while striking a balance between the concerns of all stakeholders, and delivers on the commitment that we made in the 2009 budget.

Specifically, the reforms included in the Pension Benefits Amendment Act would, if passed, provide for the restructuring of pension plans affected by corporate

reorganizations while protecting benefit security for plan members and pensioners. It would clarify the benefits of plan members affected by layoffs, and would eliminate partial windups. It would increase the transparency and access to information for plan members and pensioners, and would enhance regulatory oversight as well as improving plan administration and reducing compliance costs.

I wanted to take just a few minutes to provide some greater detail on each of these proposed actions to provide a little better idea of what is being proposed for the people of Ontario, particularly those in retirement or with retirement pending. The proposed amendments would provide for the restructuring of pension payments affected by corporate reorganizations—something we see pretty frequently these days—while protecting benefit security for plan members and pensioners. This could be achieved through the following ways:

First, requirements for asset transfers between plans as they relate to defined benefits would be clarified and simplified. Although an individual's specific benefit may be altered as a result of the transfer, the commuted value of a member's accrued benefits, pension or deferred pension could not be reduced.

If a transaction involves the transfer of a portion of the membership from one employer's plan to another, plan administrators would be permitted to agree to give individual plan members the option of transferring or not transferring their pension benefits to the successor plan. Bargaining agents could also exercise this choice on behalf of their members.

A prescribed portion of any surplus related to the assets being transferred from the previous employer's plan would be transferred to the successor plan. This government would consult with stakeholders prior to setting the size of this prescribed portion.

Asset transfers between plans would continue to require the FSCO superintendent's consent to protect the value of the benefits of members and other beneficiaries in both an old and new plan. Until July 1, 2013, pension plans affected by past restructurings could enter into agreements that would allow current individual plan members to consolidate their pension benefits in a single plan through an asset transfer based on value.

Secondly, we're proposing to clarify the benefits of plan members affected by layoffs and eliminate partial windups. Just to clarify, a pension plan windup occurs when the plan is terminated and all assets are distributed. A partial windup may occur when a significant element of the workforce is eliminated or a particular function or workplace is discontinued.

Under the Pension Benefits Amendment Act, 2009, if passed, new partial windups would not be allowed following a transition period planned to end on December 31, 2011. Partial windups with an effective date prior to that date would be permitted for a further period, after which no partial windups could be declared. At that point, no distribution of surplus would be required except on full windup of a plan.

Starting on January 1, 2012, grow-in benefits that enable qualifying employees to receive early retirement benefits from the plan would be extended to all eligible members whose employment is terminated by the employer, other than for cause, and would continue to be provided on full windup of a pension plan. Eligibility would continue to be based on age plus years of service, totalling at least 55.

1640

To balance these entitlements with those of other stakeholders, multi-employer pension plans and jointly sponsored pension plans could elect not to provide grow-in, according to a prescribed process.

Under our proposed changes, all accrued pension benefits, both past and future, would be vested immediately. A transition period would allow plan administrators to adjust to this change, and the amount for small pension payouts would be increased. This would reduce the vulnerability of newly hired employees.

The superintendent of financial institutions would be given the power to require valuation or other reports, as prescribed. As an example, after partial windups are eliminated, this power could be used to order an employer to file a report after an event that significantly reduced membership in a plan.

Plan administrators would not be required to purchase life annuities for pension benefits related to partial windups in progress, provided the benefits have not been annuitized and provision is made for the distribution of any applicable surplus.

Thirdly, our proposed amendments would increase transparency and access to information for plan members and pensioners, because we believe they have a right to know more about their pensions. We could achieve this by enacting the following:

—"Retired members," those in receipt of pension payments, would be defined separately from "former members," and their right to participate in pension advisory committees and receive prescribed information about their plan would be set out;

—New rules would make pension advisory committees easier to establish, allowing members and retired members to monitor plans on an advisory basis. Cooperation from plan administrators would be required, as specified;

—Plans would be required to give all members, including retired members, information about the funded status of the plan at prescribed times;

—Plan administrators and the regulator would be required to provide copies of specified documents on written request. Any related fees would be no higher than those charged by the regulator; and

—All pension plans would be required to provide members, retired members, and former members with notice of all plan amendments before they're registered with the regulator, with some prescribed exceptions. This would replace the current provisions related to "adverse amendments," which only require plan administrators to inform certain members if an amendment would

adversely affect their rights. This seems to make a lot of sense: to provide members with information not just when it's going to affect them adversely, but on all amendments.

Next, we would enhance regulatory oversight by proposing to enact the following measures:

The superintendent would be granted the power to make interim orders in specified circumstances; for example, to order special valuations when there is evidence that a plan is at risk. These orders would not be subject to the notice of proposal process and could be appealed directly to the Financial Services Tribunal.

The superintendent would be granted the necessary power to approve arrangements as provided for under the federal Companies' Creditors Arrangement Act and Bankruptcy and Insolvency Act, subject to prescribed conditions.

Further, our proposed amendments would improve plan administration and reduce compliance costs by the following measures:

A number of changes would be enacted; for example, the filing of specified documents could be waived for prescribed classes of pension plans and the existing time limit for refunding employer pension contributions made in error would be expanded.

Members would also have the right, in specified circumstances, to transfer certain pension monies—for example, excess contributions or small pension payouts—to a registered retirement savings plan or a registered retirement income fund.

Finally, the proposed amendments would enact the following additional measures:

The implementation of surplus-sharing agreements on full windup of a pension plan would be facilitated where written agreements reached by employers, members and pensioners comply with the existing prescribed rules. If such an agreement is reached, no review of historical plan documents such as plan texts and trust agreements would be required.

And as announced in the 2009 budget, pension plans would be permitted to offer phased retirement.

In summary, a healthy employment pension system is necessary to ensure a healthy economy for the province of Ontario. It helps to ensure that our seniors can continue to live with dignity and financial security, and that the government is not necessarily required to commit additional resources for them to maintain that quality of life. Additionally, those seniors can be and should be an economic force in the province of Ontario. They should have the capacity to wield their strong purchasing power to provide stimulus to the economy.

This government has undertaken an exhaustive process to ensure that we implement the proper reforms. All stakeholders are in agreement that the status quo is not an option, yet we all recognize it is essential that we get this right to ensure that the quality of life of our seniors will continue in the future.

This act, as I said earlier, is the start of the first substantive pension reform in this province in more than 20

years. We are purposely embarking on this reform in stages, due to the broad array of issues, the challenges presented by the current economic climate, and the need for further consultation and additional information. This is a complex process that impacts the lives of individuals and their families in significant ways and for long periods of time.

The next stage of Ontario's pension modernization process is planned for later this year. The Pension Benefits Amendment Act, 2009, is the first step to ensure a better quality of life for Ontarians upon their retirement. That's why I would ask, when the debate on this matter is completed, that we have the support of all members of the Legislature to ensure that retired and retiring Ontarians are assured the quality of life they've worked hard for. They have provided us with the quality of life we have today.

Speaker, thank you for the time. I understand that this is a complex issue. Some of it is far more technical than we might normally hear in the House, but I think it's important that we and those who are listening today understand that this is a complex matter. The decisions will not be simple ones whatsoever, but they are matters we need to take seriously.

Just a few additional comments; we're through with the formal part of the presentation. We've had, over the past months—the past year and a half or so—the economic climate that we spend so much time talking about in here. We speak substantively to the changes that have occurred, to challenges that are there, to the employment disruption that has occurred, to our desire to grow the economy here in the province of Ontario. To do that effectively, pension reform, retirement income security, is an important part.

I had the opportunity for a couple of days in the summer to attend a meeting with Ted Menzies, who was leading the process of review for Minister Flaherty federally, and some others on behalf of the minister to sort of set the stage for the discussions that are now ongoing about retirement income security—I made reference to the minister's attendance at the meeting in Whitehorse and further plans in that regard.

It's crucial that not only Ontario be engaged in this file in an important way, but it's important for the federal government and provinces throughout the country to also engage in this file in a very, very substantive way. This matter is not isolated to the province of Ontario; it's a matter that's faced by Canadians throughout this country in each and every province.

1650

It's a matter that demands that we look not only at the legislation that we have before us here today: Bill 236, An Act to amend the Pension Benefits Act. It's going to demand, in the debate and discussions that will ensue, that we look at the broad array of retirement income security that Ontarians and Canadians expect. It's going to demand of us that we look at our own capacities as individuals to plan for our retirements in addition to pension plans and pension benefits. It's going to demand

of us that we collaboratively look at things like the Canada pension plan and the capacity of the old age pension system to support aging Canadians. We will have to look at the contributory pieces of that: what capacity we have to contribute; if it is adequate now; if it should be enhanced in some fashion. Certainly there are provinces that are already looking at parallel plans to the Canada pension plan. It's not something that I am aware is on our agenda, but there are provinces that have been looking at that as one of the things that is on the table for discussion with the ministers provincially and the federal government.

So we do have our challenges set out for us. I can't think offhand if there are things that will be more important to us as legislators here, in dealing with legislation, than how we could effectively deal, after a 20-year hiatus, with the needs of retirees and with the needs of those who are moving into retirement in this province, because once one has retired, that's going to be their income. They won't have the capacity to move readily back into the workforce and reconfigure their job market. The quality of life that retirees are going to have for the rest of their lives is going to be very dependent upon the success of what we do here.

The fact that we haven't had a substantive review in 20 years is probably indicative of the type of work that has to go into this type of legislation—or multiple pieces of legislation—and indicative of the need to get it right, because people are going to be depending on it for extended periods of time. It's not something that one would want to have to go back and tinker with in any substantive way in the short term; because of the complexity, one wants to try to get it as correct as possible. That's why there has been heavy engagement with stakeholders throughout the province. It's why the commission required the expertise of multiple studies, being done in Canada and elsewhere: to get a broad understanding of what's happening not only in Canada but what's happening in the rest of the world so that they were able to make their recommendations to us in a fashion that would give us as comprehensive and as accurate a view of the pension world as possible.

There have already been a number of actions in respect to the recommendations they brought forward. I anticipate that during the debate we will hear from around this place about matters that are either not in legislation yet or matters that members think are important and need to get the clarity of debate in this place as well.

I appreciate the opportunity, as I said, to be able to lead off second reading debate on behalf of the Ministry of Finance and on behalf of the minister. I look forward to the discussion as it ensues, during the course of this afternoon and in the days to come, and to a chance to respond on behalf of the minister when the opportunity arises for the Q and As we have—the short two-minute commentaries—as well as the opportunity to respond to the speeches of other members from all sides of the House. With that, Speaker, I think I'll take my seat and thank you for your indulgence.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: I just want to comment to the member from Pickering–Scarborough East—and I agree with and respect many of the comments he read into the record. He's right: You've got to get it right. That's the real issue here.

If you look at the first principles in pensions to start with—I have a bit of history with that file as well. I think that if you look at the fundamental premise here, the actuarial assumptions themselves are actually wrong: They're outdated if you look at life expectancy as one, return on equity as another and the number of contributors to a group plan. Companies are downsizing and outsourcing, and there are fewer people paying. So the actuarial assumptions by the experts, not through their fault but through the changes in the economy and in the principles that the member from Pickering–Scarborough East stated—he talked about transparency, balance, security, co-operation, clarity, coverage, competition and flexibility. There are a hundred papers on this subject, and all of us should be very much engaged. I'm just going to explain one, the security.

Now, almost all of the people participating—I did attend a forum last night in Oshawa, and some of my constituents were there. There were 200 or 300 people in the room. The big thing here is, we're in the midst, as has been said, of the great recession. That's what I call it, the great recession. So if you take an evaluation of any plan today, public plans are in trouble: the teachers' pension plan, the OMERS plan. Look at the debate going on in Sudbury. Vale Inco: There's a deficit of \$4.5 billion in that plan, and that's the issue of the strike. The security is all based on the market, so if anybody, government or others, is going to insure or guarantee, then I want to invest in that plan, because security in the marketplace that we're talking about is anything but secure.

I will be participating in this debate later, but I look forward to our member from Parry Sound–Muskoka, who will be bringing some content to this debate as well.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Paul Miller: First of all, I'd like to thank the member from the opposition for his comments, and also the member for his presentation.

From what I can see from the bill itself, yes, there are administrative controls to be added, which is good. Vesting is part of it, which is good. The windup options are beneficial. The accountability is hopefully there, the clarity, and the security.

However, what isn't there is the most important thing, which is the increase to the pension benefits guarantee fund from the present \$1,000 to \$2,500, which Mr. Arthurs recommended. He recommended that. That is the most critical thing to deal with the people who are already in trouble.

This is great maybe down the road, with other conditions being brought in the spring that may help our grandkids and their kids, but what do you do with the

millions of Canadians who are in trouble now? You can't keep hoping that CPP and OAS will cover that. I have my doubts if the federal government is going to double that. It's a bit of a wish list. I don't know what they're going to do until it comes out, but I'm sure it's going to fall short, because I don't know too many Canadians who can maintain their lifestyle and live in homes on \$1,200 or \$1,300 a month between their pension from CPP, if they have one, or their old-age or their supplement. It doesn't cut it, it won't cut it, and I don't see any movement in a direction to do immediate repairs to finances to help all the people. If you want to talk to the Nortel workers, they're talking about giving them \$1,000. Well, they were entitled to that under the pension benefits guarantee fund from before, and if I was getting \$3,000 a month before and now I get \$1,000, I'm not going to be too happy. So there's a long way to go.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Yasir Naqvi: Thank you very much, Mr. Speaker, for giving me the opportunity to speak on this very important issue in relation to this legislation.

I want to congratulate the member from Pickering-Scarborough East for his very detailed analysis of what's encapsulated in this particular legislation dealing with pensions. This is a very complicated area, no doubt. This is a very important topic as well, especially in light of the current economic crisis we're living through and the impact it has on those who have pensions and those who do not have pensions. I think there are some valid concerns on both ends.

My involvement in this issue has been in Ottawa, obviously, as you know, through the Nortel workers who are going through a lengthy bankruptcy protection process right now, and the impact that would have on their particular pensions. I was very happy to see the Minister of Finance a couple of weeks ago making the announcement that the pension benefits guarantee fund will be funded, as it relates to Nortel workers, to make sure that their pensions, up to \$1000, are covered. The PBGF was an important part, and I was very happy to see that take place, because members from Ottawa have been advocating for some time that the minister consider that. But that just highlights the kind of issues that are embodied.

1700

This legislation is the first step in that direction to ensure that we are able to reform our pension system in the province of Ontario and make sure that pensions are protected. I think in the long term what we also need to consider are those Ontarians who don't have a pension. I know the Premier has spoken about having a pension summit. This is really a national issue which needs to be considered.

I congratulate the minister and his parliamentary assistant for moving on through this legislation.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Lisa MacLeod: It's a real pleasure to be able to engage in this debate today on pension reform. Let me say at the outset—I just listened to the member from Ottawa Centre; he knows I have tremendous respect for him. I will make two points.

With the Nortel top-up, it was only when a by-election was called in Ottawa West-Nepean that the Liberal government decided it was going to assist pensioners who I have personally met with and who my colleague from Carleton-Mississippi Mills has personally met with. What bothers me is, I had some of these pensioners come to my office and to Norm's office with tears in their eyes because they had no idea how they were going to live out their retirement. What bothers me the most is that this Liberal government strung these seniors along until Bob Chiarelli decided he wanted to recycle himself and come back to the Ontario Legislature. By the way, he's going to have a fight on his hands if he thinks it's going to be an easy trip here. But the reality is, there could be nothing more callous and disappointing from a government that only decides to act when there is a by-election on, as we saw in Toronto Centre.

I want to make another point on the HST. How does this government think they're helping seniors when they are going to tax mutual fund expense ratios, when they are going to tax estate planning and when they are going to start taxing funerals? I don't know how they think they can be on the side of anyone with that terrible HST.

What we've seen here is a government that only acts when they think they can buy a vote and that likes to target people and then pretend they're working for them. I can tell you and I can assure you that Tim Hudak, the PC caucus and our finance critic, Norm Miller, are going to look at this bill, and we are going to ensure Ontarians have their say, because they won't—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Pickering-Scarborough East, you have two minutes to respond.

Mr. Wayne Arthurs: I want to thank the members who took the time available: the member from Durham, the member from Hamilton East-Stoney Creek, the member from Ottawa Centre and the member from Nepean-Carleton as well. They certainly had the opportunity in their two minutes to express a range of views, some of them on the legislation, and some of them digressed a little from the legislation, probably more substantively than less substantively.

I was pleased that, in the early going, members acknowledged the complexity of the legislation and the provisions within the legislation that speak to matters of ensuring a level of transparency, ensuring that there's a high level of consultation and ensuring that there's engagement of retirees in the process, and that this is the first piece of legislation, a substantive piece of legislation, but it won't be the only piece of legislation that will come forward.

I think it's important again, and it was already referenced by others, that we extend our thanks to Professor Harry Arthurs for the work that he did to lead the expert

commission on the number of submissions were made throughout Ontario, both by individuals and by professionals and by those who were engaged to do professional research so that he had the best possible advice in front of him in providing his reporting to us—and that we've acted on a number of the initiatives that were identified within that report. I know that we are certainly going to have discussion and debate on other matters within those recommendations that haven't been acted on at this point in time.

I anticipate that members opposite will certainly want to raise those matters and look forward to that discussion all around the Legislature. Thanks to those members who took the time—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Further debate?

Mr. Norm Miller: I'm pleased to have the opportunity to discuss Bill 236 this afternoon, the pension bill, Pension Benefits Amendment Act, 2009. Certainly there's a lot going on in the world of saving for retirement and in pensions around the world these days. This bill has come out in large part because of the work of Mr. Harry Arthurs and the recommendations he's made.

The government has said they are going to bring forward two pension bills. This is the first one, and from the feedback I have had from pension experts, they describe this one as tackling the easy parts of the questions to do with savings and pensions, and they are leaving the harder stuff for the next bill. They describe it as being kind of tinkering around the edges. It is very technical, and I hope everyone is still awake at the end of the hour-long lead that I will be doing. So I'd like to begin the leadoff on Bill 236, the Pension Benefits Amendment Act, 2009.

According to the government's own press release, "Ontario is proposing to strengthen and modernize the employment pension system to help pension plans adapt to economic changes while balancing the need for benefit security." But most experts agree that the legislation cleans up some loose ends and tinkers around the edges with some technical amendments, and I will elaborate on those a little later in my comments.

I would just like to talk a bit generally about retirement incomes and what's going on around the world, starting off with Canada. The retirement income system in Canada is a blend of mandatory and voluntary arrangements, and responsibility for the provision of retirement income is shared among governments, employers, unions and individuals. Three main sources of retirement income are old age security and the guaranteed income supplement, Canada and Quebec pension plans and occupational pension plans, and individual savings, which are mainly in RRSs. Recently, Canada was rated as being the fourth-best country in the world in terms of pensions and retirement benefits savings, so we're not doing too badly.

With no other income sources, a 65-year-old Canadian with maximum government pension benefits currently could receive \$19,776 in inflation-indexed income.

That's \$34,218 for couples. The typical recipient, however, receives only half the maximum CPP/QPP total, reducing the amount to \$16,760 for singles and \$28,202 for couples. Of Canada's 4.2 million seniors, 38% currently receive guaranteed income payments.

There are some important considerations in the pension discussion: 84% of public service workers have pensions; 78% of these plans are the gold-plated defined benefit pensions. However, only 25% of private sector workers have a pension plan, and of these, 16% are defined benefit pension plans. More than 11 million workers, or 60% of Canada's workers, have no pension at all; eight million, or 45%, have no pension or registered retirement savings plan.

The global economic crisis highlighted serious flaws in pension systems around the globe. Poor investment returns, bankruptcies, chronic plan underfunding and an aging population have pushed the pension discussion to the forefront. Consequently, pension studies and pension reform have been and continue to be top of mind around the globe.

Let's look at some of the pension studies and the outcomes.

Pension studies generally agree that reform should be based on four principles:

"(1) Pension plan designs should target a post-work standard of living that is adequate, achievable, and affordable;

"(2) All workers should have a simple, accessible, portable opportunity to participate in pension plans that have explicit post-work income replacement target;

"(3) All forms of retirement saving should receive equal tax, regulatory, and disclosure treatment across all sectors of the Canadian workforce"—and I point out that with the government passing the HST, they will in fact be taxing the management fees on mutual funds, which would be against this principle.

"(4) Pension management and delivery structures should be expert, transparent, and cost-effective."

1710

The pension discussion has two prongs. The first deals with defined benefit plans, their affordability and sustainability; and the second deals with the issue of the more than 60% of Canadians who have no pension savings. I'll start with defined benefit reforms going on around the world.

In Europe earlier this week, President Nicolas Sarkozy unveiled plans to reform France's pension system. He's seeking to open negotiations on raising the retirement age from 60, arguing that this is the only way to keep the system of generous benefits afloat. Like many other European countries, France is facing a funding shortfall in its state pension scheme due to a growing older population and fewer working-age people paying contributions. This year, the state pension plan is on track to reach nearly \$15 billion, according to government figures. Many other European countries are facing the same quandary—in the case of neighbouring Germany, raising the retirement age from 65 to 67. I note that in

Canada it has been the case, especially in the public sector, that the retirement age has been going down. It's in the 50s in Canada and Ontario.

In the Netherlands they've taken a different approach. In September 2002, the Dutch central bank, De Nederlandsche Bank, DNB, announced that on January 1, 2004, it would start regulating defined benefit plans in that country, using the same principles that governed the regulation of insurance companies and other prudential financial institutions. For a while, there was a great hue and cry in the Dutch pension management community. DNB was accused of everything ranging from destroying the Dutch retirement income system to sheer pigheadedness.

DNB prevailed, although it did grant a year's delay in the implementation. The Dutch pension sector eventually responded to this radical shift in the rules of the game by shifting their DB plans to collective defined contribution plans with nominal guarantees. The basic idea with these defined contribution plans is that while these new plan formulas still offer members a nominal pension guarantee, it is far below that of the final-earnings-based, fully indexed pension. Meanwhile contributions continue at 18% of pay, which, together with reasonable investment returns, should produce eventual target pensions well above the minimum guarantee, although those target pensions are no longer guaranteed.

Twenty-seven other European countries, such as Denmark and Switzerland, as well as Australia, have taken a different route to solving the pension coverage plan by requiring all workers to become members of funded workplace pension plans. The three-way bargaining culture among government, business and labour in these countries has played an important role in the evolution of these mandated full-coverage outcomes.

I ask the question: Are defined benefit plans the answer? According to Keith Ambachtsheer, defined benefit plans operate with an automatic pension formula based on a participant's salary and years of service, and require a series of annual contributions sufficient to fully pre-fund the plan. Typically, pension plans continue as long as the plan member or spouse is alive. Further, participants have no direct role in determining how the accumulated collective retirement savings of the plan are invested.

Unfortunately, what seems too good to be true is actually the case. For example, many people who change jobs during their careers do not do well in DB plans because vesting provisions usually delay plan participation. Lack of portability is another problem. DB plans are also complicated and expensive for employers to administer.

These are not the only DB plan problems. Fundamentally, most defined benefit plans operate as incomplete contracts that do not fully spell out the respective rights and responsibilities of the parties in the DB contract, such as pensioners, active workers, shareholders, current and future taxpayers, unions, management and pension plan trustees.

Thus, in times when the DB plan balance sheet is in surplus—that is, when assets exceed liabilities—it is often unclear who owns that surplus. The result is that all balance sheet stakeholder groups will lay claim to it. Similarly, when the balance sheet is in deficit, it is often unclear how that deficit should be remedied. Typically, all stakeholder groups attempt to pass the parcel to somebody else.

This would be irrelevant if DB plans were immediately vested and fully funded at all times, with protracted pension payments matched by an asset portfolio of high-quality bonds, but that is not how the DB balance sheets are managed. Usually they are subject to material asset-liability mismatch risk based on a convention that took shape during the 1980s and 1990s, which assumed that risk eventually leads to additional asset returns that in turn can be used to make expensive DB pensions affordable. The two serious equity market setbacks during this decade in 2001-03 and in 2008 are now forcing DB plan stakeholders to re-examine this convenient but faulty risk-equals-return convention.

The global adoption of fair value accounting rules is accelerating this reality check in the corporate sector. Similar disclosure forces are at work in the public sector. As a result, sponsors of DB plans in the public sector are increasingly being persuaded to disclose the true cost of employee pension promises accruing at the federal, provincial and municipal levels of government. Using discounted rates that reflect the high quality of these promises often based on final earnings and indexed for inflation, their true costs today, as noted, can exceed 30% of current pay. I might point out that if you're saving on your own and not part of one of these DB plans, the most you can contribute toward a registered retirement savings plan is 18%. The public systems are almost double that, over 30%. Despite recent increases, actual pension contribution rates are still well below these true costs. As Laurin and Robson point out, the result is a steady shift of wealth from future generations of Canadians to current public sector employees.

Meanwhile, in the corporate sector, the re-examination of the risk-equals-return convention has already led many employers to close their DB plans or to consider doing so. New employees typically are offered a defined-contribution-based capital accumulation plan to which the employer makes contributions, so that now we are back in the behavioural finance world in which human failings defeat elegant theory.

So, what about those without a pension?

I would like to speak a bit about what's going on in the United Kingdom, because they have taken a different approach. The United Kingdom is proceeding with its plan under the Personal Accounts Delivery Authority, PADA, which will cover the seven million private sector workers without workplace pension plans who are judged not to be saving enough for retirement. PADA will reach out to more than a million employers and is slated to become operational in the fall of 2012. PADA created NEST, the National Employment Savings Trust program,

which is a new, low-cost pension scheme that any employer can use to meet new workplace pension duties, starting from 2012. The scheme is being designed specifically to meet the needs of low-to-moderate income earners and their employers. Among its key features, targeted workers will be auto-enrolled in the plan, with an option to opt out. Those not in the targeted group will be able to opt in. The scheme will be focused on the low-to-moderate earners who don't currently participate in a workplace pension scheme with an annual contribution limit of C\$6,000 at 2005 levels.

Employers can use the personal account scheme in different ways, but in most cases there will be headroom under the limit for employers and/or members to contribute more than the minimum and to structure their contributions in different ways.

For example, where an employer makes contributions on the minimum band of earnings required by the Pensions Act, 2008, an 8% contribution for an average earner—that's approximately C\$40,000—would be approximately C\$2,560 per year. Alternatively, an employer might choose to make contributions on a broader band of earnings; for example, basing them on the first pound—remember this is England—of pay.

Transfers in and out of the scheme are banned except in some special circumstances, such as at retirement. The scheme provides a portable and flexible option for members who change jobs frequently, where there are different employers, to choose the personal accounts scheme to meet their auto-enrolment duties. The scheme will be open to any employer of any size or sector that wishes to use it to fulfill their auto-enrolment duties.

That's kind of like a supplemental system that you're automatically signed up for that's being run nationally in Great Britain.

So, reform in Canada: Why is it necessary? Nobel Prize winners Herbert Simon and Daniel Kahneman were among the first to point to the cognitive difficulties most humans have in making decisions involving choice overload and uncertainty. They point out that our minds often go mushy, leading to simplistic, faulty rules of thumb in decision-making or to making no decision at all.

1720

"In their public policy book *Nudge: Improving Decisions About Health, Wealth, and Happiness* ... Richard Thaler and Cass Sunstein accept these informational asymmetry and human frailty realities, and show that carefully designed choice architecture can nudge people toward better decisions without restricting their freedom of choice.... Applying their behavioural findings to saving for retirement, Thaler and Sunstein note that although governments have created strong savings incentives through tax deferral measures, people seldom take full advantage of them." Authors Fear and Pace in 2009 "confirm the validity of this observation in the Australian context and find that Australia's 2005 Choice of Fund legislation is not leading to better outcomes for retirement savers; rather, Australians are choosing not to save."

You need to solve the retirement savings problem—and I should give credit to Keith Ambachtsheer for this information. According to Keith Ambachtsheer, "The life cycle theory of why people should save for retirement (and how much) is both elegant and conceptually simple. Financially, people progress through three life phases: pre-work, work and post-work. The theory requires people to save during their working years so as to maintain their desired standard of living during the post-work years." The question is how much to save.

That sounds simple, but it just isn't. "Just project how much you will earn during your working years, how long you will work, what return your savings will earn, and how long you will live." Plug these figures "into the right formula and, after some number crunching, your required savings rate appears....

"Behavioural financial experts point out ... that the theory's widespread application requires three things to be true: first, that ordinary people can solve complex mathematical problems; second, that they can model adequately the future uncertainties in their lives; and third, that they have the willpower to implement the resulting savings plan. Unfortunately, none of these requirements squares well with reality. Most people are not capable of solving complex mathematical problems. They have difficulty dealing with future uncertainties such as their work-income trajectory over future years. "Finally, even if they could, we know from observation that most people do not possess the willpower to see the resulting savings plan through an implementation period of 30 to 40 years."

There is a fourth problem: "Even if people could conquer the complex math problem, deal with future uncertainties, and had the willpower to deal with the savings part of the plan, they could still be easily stumped by the technically and emotionally challenging investment part. In short, human failings prevent the elegant theory of life cycle personal finance from waving its magic wand."

The four nudges—recognizing human nature. "A central implication of behavioural finance is that choice architecture matters: People can be nudged toward making better decisions without restricting their freedom of choice. Here's how this powerful idea can be applied to the design of more effective pension structures.

"First, determine the target savings rate. This is a tough one. The elegant personalized answer, as noted above, is to decide what kind of post-work standard of living you want, estimate how long you will work, what your salary path will be, what your retirement savings will earn, how long you will live after you retire and what your government pension benefits will be. Because most people will suffer a brain freeze when faced with such a daunting list of questions, choice architecture requires a series of thoughtful default answers. The target post-work standard of living is the most fundamental and difficult question to answer. The best a conscientious choice architect can do is set a transparent, reasonable default target, which then, along with the other assumptions (including the government pension programs)

produces the default retirement savings rate—say, 7% of income—required to hit that pension target. With this formula, it is easy to give people who desire a higher income-replacement rate or a shorter working life the appropriately higher target-savings-rate implications.

“Second, increase plan enrolment. Research confirms that human inertia stops us from doing many things we ought to do, especially if the rewards from doing so are a long way off. Voluntarily joining a well-designed pension plan is one of those things.” So what is the choice architect solution here? “Change the default choice from non-enrolment to auto-enrolment, with an opt-out option.”

The fourth suggestion is to build in annuitization: “Annuitization provides a simple, effective strategy for ensuring, by pooling longevity risk, that individuals do not outlive their retirement savings.” Those suggestions are put forward by Keith Ambachtsheer.

William Robson, of the C.D. Howe Institute, points out that one of the key sources of stress on voluntary and occupational retirement savings in Canada is a pre-occupation with what he calls two “flawed” models; that is, traditional single-employer defined benefit plans on one hand and individual account plans such as defined contribution pension plans and RRSPs on other. Robson says that Ottawa should provide more tax deferral room for both RRSP savers and members of employer-sponsored defined contribution pension plans: “Using the federal public service plan as a benchmark suggests raising the contribution limit from 18% to 34% of earned income,” as well as almost doubling the current \$22,000 maximum to \$42,000.

As I mentioned previously, if you’re trying to save in an RRSP right now, you’re limited to 18% of your income. I met earlier with the Association of Canadian Pension Management people, and they suggested no limit on how much you make put into an RRSP but a lifetime limit. That sounds look a reasonable approach to me.

The paper entitled *Cutting Through Pension Complexity: Easy Steps Forward for the 2010 Federal Budget* also recommends raising from 71 to 73 the age at which people lose access to tax-deferred saving and must start withdrawing funds. Robson also suggests giving holders of registered retirement income funds and life income funds the same spousal income-splitting opportunities as recipients of annuities from pension plans. The government also should make the pension credit available to those drawing income from RRIFs or LIFs regardless of age, as it is to recipients of annuities from pension plans.

Further changes to the Income Tax Act would make retirement-related services more readily available to employees of small organizations and to the self-employed, Robson suggests.

The big suggestion is to bring RRSPs and defined contribution plans to closer parity with the traditional defined benefit pensions, which are enjoyed primarily by the public sector. Unfortunately, fewer and fewer in the private sector are benefiting from defined benefit plans.

Currently, savers in defined contribution RRSPs “get less generous tax deferral than do most defined benefit participants,” Robson writes. That’s because the Income Tax Act, which is federal, uses a pension adjustment, shown on T4s, to estimate how much savings people without defined benefit plans need to undertake in order to accumulate the same amount of wealth as those with defined benefit plans.

However, the pension adjustment assumes relatively high returns and overlooks important provisions often found in public sector plans, and so tends to underestimate the required amounts of saving. As a result, annual contribution limits for defined contribution plan members and RRSP owners are set relatively low.

Similarly, larger contributions for past service are possible in defined benefit plans than in defined contribution plans and RRSPs. When defined benefit plan assets fall short of liabilities, the tax act lets employers rebuild the plans with no limits, a practice encouraged by regulators and which many companies implemented after the crash. But as millions of Canadians hurt by the 2008 meltdown know, when values fall in defined contribution plans and RRSPs, annual contribution limits “make no accommodation,” Robson says.

Therefore, the first step is to boost tax deferral room for RRSP and defined contribution savers. Ultimately, a lifetime pension saving limit would help those individuals recover from setbacks, but the first step would be the recommendations made in the report.

The report makes no mention of tax-free savings accounts, which were another C.D. Howe recommendation long ago, when they were called tax prepaid savings plans. Nor does the report mention the suggestion of actuary Malcolm Hamilton that tax-free savings account contribution room be made retroactive to age 18, or a similar lifetime TFSA contribution amount be implemented, in order to similarly help those whose RRSPs and defined contribution plans were hurt by the crash.

1730

Let’s bring the discussion back to Bill 236. I’ve been talking a lot about what’s going on around the world. Obviously, a lot to do with pensions and saving for retirement involves federal changes. I would argue that the best approach is actually a pan-Canada approach. But we do have Bill 236 before us, which I described at the beginning as being the first of the government’s two pension bills, one that pension experts have told me is tinkering around the edges, although still very technical, as we will see as I go through some of its provisions.

The bill comes out of the work done by the Expert Commission on Pensions, which was established in 2006. Its mandate was to examine the legislation related to the funding of defined benefit pension plans and related issues in Ontario. According to William Robson, the commission’s mandate was to explicitly promote defined benefit plans.

On November 20, 2008, the government received the report of the Expert Commission on Pensions, entitled *A Fine Balance: Safe Pensions, Affordable Plans, Fair Rules*. It was done by Harry Arthurs. The Arthurs report

made 142 recommendations, chief among them the appointment of a pension champion and all necessary boards and tribunals to support such an advocate.

Arthurs also commented on the 30% to 40% of Ontarians without a pension plan. Despite Arthurs's recommendation to the government to act quickly, it took until now for the government to finally act.

I would like to talk at length about the key elements of the legislation, starting with partial plan windups. After December 31, 2011, partial plan windups are to be eliminated, with the result that (1) no partial windup valuations will be required, and (2) surplus will no longer be required to be distributed on a partial windup. The input I've had from the experts is that that's a good thing. However, the two other consequences of partial windup—(1) grow-in and (2) immediate vesting—are going to apply broadly, with potentially significant cost implications to some plan sponsors.

From the feedback I'm getting, this grow-in provision is something that is very concerning. It could be very expensive for plan sponsors. So let me talk a bit about that.

Grow-in benefits are being extended in Bill 236. Currently, in the event of a partial or full windup of a pension plan, members with 55 or more age-plus-service points are entitled to grow into a pension plan's subsidized early retirement provisions. The grow-in provisions will be extended to all terminations of employment for members who meet the 55-points requirement, except for termination for cause, with or without a plan windup.

This will be costly for plan sponsors and administratively burdensome. No other jurisdiction in Canada, other than Nova Scotia, has such rules. The pension review panel in Nova Scotia, which has recently completed its work, has recommended against making such rules mandatory.

One of the things that the Association of Canadian Pension Management is pushing for is harmonized rules across the country, and yet Ontario could end up being the only jurisdiction in the country with this grow-in provision.

Looking at the historical context of grow-in benefits: "Grow-in rights entitle certain employees of wound-up plans not only to the pension benefits that they had earned up to the windup date but also to the early retirement benefits that they would have 'grown into' had both the plan and their employment continued. This legislation was a reaction to several high-profile manufacturing plant shutdowns in which plan members had lost part of their benefits because of funding deficits...."

"Comments from Wells Bentley, the superintendent of pensions in Ontario in 1980"—which is when the original legislation came in—"also suggested that grow-in rights were a regulatory afterthought. In an interview with the *Globe and Mail* at the time, Bentley did not mention that Bill 214 gave employees early retirement benefits that they had not fully earned. At the time the

bill was introduced, he focused solely on the need for better funding of windup benefits.

"In hindsight, it is easy to see how such legislation could have been introduced without much resistance, even if it had been highlighted. The economic picture in Canada was very different in 1980. Interest rates were over 12%, inflation rates were over 10%, and both were going north. People were worried about the effect high rates would have on the economy. Further job losses seemed almost inevitable. Any actions to mitigate the pain of job losses—including a bill that helped pension plan members—seemed defensible.

"The political landscape was also different. Governments were more interventionist and taxpayers by and large did not seem to mind. For example, in a poll conducted in Ontario in December of 1980, 51% of respondents favoured wage and price controls." So it was a different world at that point.

"A common perception at the time was that some companies were deemed to be too big to fail. However, in the same week Bill 214 became law, a government bailout of fabled manufacturer Massey Ferguson was being deliberated...."

"Grow-in rights are an idea whose time has passed. They are fundamentally flawed and should be repealed. Apart from Ontario and Nova Scotia, there is no other jurisdiction in Canada that imposes similar rules. Rules on plan windup should do no more than preserve the early retirement benefits that members had earned based on their service and earnings up to the windup date.

"The primary problem is that grow-in creates a heavy funding burden, one that did not exist back in 1980."

As it relates to multi-employer pension plans and jointly sponsored pension plans, they will be able to elect not to provide grow-in benefits. Additional powers—to order evaluations and/or reports—are granted to the superintendent to avoid certain inadvertent results occurring due to the lack of a partial plan windup.

As a transitional matter, partial windups can still be ordered prior to what will apparently be the effective date of the grow-in changes. The grounds for such partial windups are essentially unchanged from the current rules. In addition, the current rules relating to partial windups continue as part of these transitional provisions. However, while partial windups continue to exist, annuities will not be required to be purchased for any partial windup after April 1987. Additional conditions may be prescribed by regulation where annuities are not purchased.

The second point I'd like to talk about is full-plan windups. Three changes are made in the pension reform bill to when the superintendent can order a full windup: (1) the test for when employee terminations can cause a full-plan windup will be when "all or substantially all" of the employees are terminated; (2) similarly, a sale of "all or substantially all" of a business will permit a full-plan windup to be ordered where the purchaser or successor does not provide a pension plan; and (3) a full-plan windup cannot be ordered simply because a specific

location is closed. These changes are all consistent with the elimination of partial-plan windups.

Asset transfers between pension plans: The pension reform bill contains extensive changes to the provisions of the PBA relating to plan mergers, plan splits or divisions and the transfer of assets between pension plans on the sale of a business. In most cases, these changes would come into effect on a date to be proclaimed by the government, which means that they could come into effect on a staggered basis following royal assent to the new legislation.

It is not clear whether the new legislation will apply on a retroactive basis to pending asset transfers and plan mergers. This is because much of the detail has been left to the regulations—so, the devil is in the details and that will be in the regulations—which have yet to be released by the government. In some cases, as discussed below, there could be certain advantages to plan sponsors in being able to rely on the new asset transfer and plan merger rules. For both business sale asset transfers and plan mergers, the prior consent of the superintendent will still be required.

The proposed legislation will accommodate the provision of different “pension and other benefits” in the successor plan pension plan in the case of a business sale asset transfer or in the merged or importing plan in the case of a planned merger, provided the commuted value of the benefits of the transferred plan members is protected. Interestingly, however, if the assets to be transferred relate to the provision of defined benefits in the original plan, the transferred assets must be used to provide defined benefits in the successor plan. Finally, there will also be prescribed requirements relating to the transfer of surplus.

1740

While the pension reform bill generally expands the notice requirements for pension plan amendments, requiring prior notice of plan amendments to be given to members, retired members and others of all plan amendments, amendments relating to the transfer of assets authorized by new sections 79.1, 80, 80.1, 80.2 or the amended section 81 are specifically exempted from this requirement.

General asset transfer provision: The effective date of the asset transfer is to be determined in accordance with the regulations. Presumably this will mean the date as of which liabilities and related assets are transferred from one plan to another.

The transfer of assets will be subject to prescribed funding requirements to be set out in the regulations.

If either the exporting pension plan or the importing pension plan has a solvency deficiency or going concern unfunded liability at the effective date of the transfer, the transfer of assets in this circumstance would be subject to additional requirements to be prescribed under the regulations.

New section 79.2 also provides two important deeming and discharge provisions. In particular, the new legislation will provide that where assets have been transferred in accordance with the new legislation, the

transferred assets will become part of the assets of the pension fund of the successor pension plan and will cease to be identified as assets of the original pension plan. Transferred members, former members, retired members and other persons entitled to payment under the original plan will have no further claim against the original plan. This appears to be consistent with the recommendation in the expert commission's report that the legislation should address the problems that result from some of the case law—for example, *Aegon Canada Inc. versus ING Canada*, and *Sulpetro Ltd. Retirement Pension Plan Fund versus Sulpetro Ltd.*—on whether the use of assets in the importing or successor plan is restricted because of restrictions imposed on trust assets in the exporting plan. The proposed legislation appears to provide that the historic terms of the exporting plan, and any related trusts, are not carried forward into the successor or importing plan.

If the transfer of assets is made on consent of the transferred members, retired members or other persons, the administrator of the original or exporting plan is discharged. Seemingly, a distinction is drawn in the proposed legislation between a discharge of the administrator (where transferred-member consent will be required), and clarification that the transferred assets are no longer subject to the terms of the original or exporting plan (where transferred-member consent is not required).

Transfers upon sale of a business and plan mergers: The new transfer upon sale of a business and plan merger provision contains four important changes:

—The administrator of the two pension plans must have agreed upon a “valuation” of the assets to be transferred. This may be a more significant practical consideration where the transfer is to be effected in kind and some of the assets are not traded publicly or easily valued.

—If the original pension plan has a surplus as of the effective date of the asset transfer, the value of the transferred assets must include a portion of the surplus which is to be determined in accordance with rules to be provided in the regulations.

—The superintendent will have the discretion to waive the funding requirements that could otherwise be applicable to the transfer under new section 79.2, including where either of the original pension plan or the successor pension plan has a going concern unfunded liability or solvency deficiency at the effective date of the transfer.

—Persons or other entities (other than the employer or successor employer), to be identified in the regulations, again, will be permitted to apply for consent to transfer assets from one plan to another. It will be interesting to see who is in this broader category.

There are in this Bill 236 special transitional rules for transfers upon sale of a business. There's a change that may be of assistance to the broader public sector pension plans previously affected by privatization. It permits, until July 1, 2013, pension plans affected by past restructuring to enter into agreements that allow individual plan members to elect, subject to certain conditions, to consolidate their pension entitlements into a single pension

plan, i.e. the successor employer's plan, with a likely increase in the value of their pension entitlement due to the effect of final earnings on the pension entitlement. Given that this will result in cost increases, it is not clear how many such agreements will occur, but a large number of submissions were made to the expert commission relating to this issue, and apparently the government has attempted to respond to this concern. I might point out that my colleague Mr. Wilson from Simcoe-Grey has come to me in support of this provision, having talked to some constituents.

Increase transparency and access to information for plan members and pensioners: With certain limited exceptions, plan administrators would be required to provide advance notice of all amendments before the amendments can be registered. It appears that the notice does not have to be given before the amendment can become effective. Provisions of the Pension Benefits Act permitting and requiring amendments to be administered in accordance with the amendment as filed pending registration or notice of refusal of registration are not effective. Also, there are no changes to the provisions which permit retroactive amendments.

The new advance notice requirements seem to require notice to be given to all plan members, former members, retired members and applicable trade unions for all manner of amendments except amendments requiring to implement asset transfers and for other exceptions that will be described by the regulations.

Disclosure-of-information changes in Bill 236: Section 27 of the Pension Benefits Act currently requires an annual statement of pension benefits to be given to members. The pension reform bill will expand section 27 to require the administrator to provide other statements containing prescribed information to members, former members and retired members when required by the regulations. Provisions of the PBA relating to information that must be disclosed upon request will be expanded to grant disclosure and inspection rights to retired members and their spouses. In addition, rules will be introduced to ensure that members, former members and retired members obtain ongoing information about the funded status of the plan.

The pension reform bill also amends the PBA to permit electronic means to be used to send statements, notices and other information to plan members and others, but only where the administrator has the person's permission to do so. Exceptions to electronic communication may be provided under the regulations. The pension reform bill also contains a provision whereby the superintendent will not disclose records if it is of the opinion that the disclosure could reasonably be considered to prejudice the commercial interests of the employer or its competitive position.

There will be advisory committees under this bill. Under the existing rules, members are entitled to monitor plan administration by establishing an advisory committee. However, there are no rules requiring the administrator to facilitate the establishment of such a committee or its work. Where members wish to establish

an advisory committee, the pension reform bill requires an administrator to assist them by making available names and addresses of members and retired members of the plan and providing such other assistance as would be prescribed by the regulations. Once an advisory committee is established, the administrator will have ongoing obligations that are to be prescribed to assist the committee. In keeping with other changes proposed in the pension reform bill, retired members will have the right to appoint at least two representatives to the advisory committee.

There will be enhanced regulatory oversight. The pension reform bill includes amendments to the PBA which will allow the superintendent to issue interim orders. Specifically, new subsection 87(6) will allow the superintendent, in prescribed circumstances, to order a plan administrator, an employer or any other person to prepare and file a new actuarial report or another prescribed type of report in respect of a pension plan if, in the opinion of the superintendent, there are reasonable and probable grounds to believe that (1) there is a substantial risk to the security of the benefits payable under the pension plan, or (2) there has been a significant change in the circumstances of the pension plan.

The corresponding regulations which will prescribe the applicable circumstances of the types of reports for purposes of the new subsection 87(6) have not yet been released. It is notable that an order under subsection 87(6) can require the administrator, employer or any other person to pay all or part of the cost of preparing the report. The current PBA provisions which allow the superintendent to order the preparation of new reports do not include the power to determine who is to bear the cost of such reports.

Orders issued under subsection 87(6) would take effect immediately. They will not be subject to notice of a proposal process but will be subject to a right of appeal to the Financial Services Tribunal. An appeal will not automatically stay the order, but the FST may grant a stay until it disposes of the appeal.

1750

Authority to approve arrangements and proposals of insolvent employers: The pension reform bill introduces new provisions to the PBA which grant the superintendent the authority to approve certain agreements governing payments to a pension plan by an employer which is under protection from its creditors pursuant to the Companies' Creditors Arrangement Act, Canada, the CCAA, or the Bankruptcy and Insolvency Act, Canada, the BIA. Both the CCAA and the BIA allow an insolvent employer to enter into an agreement with its creditors and other relevant parties under which certain payments which would otherwise be required to be contributed to the employer's pension plan pursuant to a compromise or arrangement under the CCAA or a proposal under the BIA, as applicable, can instead be made on terms set out in the agreement. This gives the parties some flexibility in determining the timing and amounts to be contributed to the pension plan. However, both the CCAA and the BIA require such agreements to be approved by the

relevant pension regulator in order to be effective. Currently, it is not clear that the superintendent has the authority under the PBA to grant such approvals.

I can see I'm getting close to running out of time. I guess I will continue.

Hon. James J. Bradley: Out of time or out of ideas?

Mr. Norm Miller: There's a little bit of heckling going on from the government members. I was sure you were asleep, but—

Interjections.

Mr. Norm Miller: Continuing with my presentation, it would also improve plan administration and reduce compliance costs with limited compliance exemptions. The pension reform bill introduces several changes which are intended to simplify the filing requirements for plan administrators in specified circumstances or in respect of prescribed classes of pension plans, which will be set out in regulations. The pension reform bill will permit the enactment of regulations which eliminate the requirement to file some or all of the documents set out at subsection 9(2) of the PBA in an application for the registration of a pension plan; eliminate the requirement to include some or all of the information set out at subsection 10(1) of the PBA in the pension plan documents; eliminate the requirement to include some or all of the documents set out at subsection 12(2).

I have detail on many other aspects of it, but I can see I'm getting close to running out of time. So rather than going through it all, I would like to hone in on a couple of aspects of the bill which are a challenge, that is, in particular, the grow-in provisions of the bill. That is a concern because it would be an additional cost. I met earlier with the Association of Canadian Pension Management people. They said that we should be aiming for harmonized rules across the country.

Hon. James J. Bradley: Harmonized?

Mr. Norm Miller: Harmonized rules across the country. Yet in Ontario we may end up the only jurisdiction in Canada that would have these grow-in benefits. So that is obviously not something that's harmonized.

Speaking of harmonized, another negative aspect of the government's plan is, of course, that they're planning on having a harmonized sales tax apply to management fees on mutual funds, which will make it much more difficult for people—that big segment of the population that don't have defined benefit plans—to save toward retirement. I might point out that we're unique in the world of value-added taxes to have that tax applied to management fees on mutual funds.

But on the grow-in provision, which is probably the provision of this bill that I'm most concerned about, I'd like to refer to an article written by Mr. Fred Vettese, *Outgrowing Grow-ins*. He is talking about the history of them, pointing out that it came to Ontario in 1980. He says, "For that reason, plan sponsors should agitate for the removal of grow-in rights.... Grow-in rights entitle certain employees of wound-up plans not only to the pension benefits that they had earned up to the wind up date but also to the early retirement benefits that they would have grown into." He goes on to say—and I won't

have time to get the whole thing in—going back, that "they are fundamentally flawed and should be repealed. Apart from Ontario and Nova Scotia, there is no other jurisdiction in Canada that imposes similar rules. Rules on plan windup should do no more than preserve the early retirement benefits that members had earned based on their service and earnings up to the windup date." I agree with that.

"The primary problem is that grow-in creates a heavy funding burden, one that did not exist back in 1980."

He goes on to say, "Grow-in rights do not help the average citizen. They help only the lucky minority that happens to be in the right type of pension plan.... Employment standards legislation is a more appropriate place to deal with this problem."

He points out that unions are most likely to object to the removal of grow-in rights—and maybe that's why it's in this bill, because we know the cozy relationship the current government has with many unions. That's probably why we're becoming unique. But as I point out, the Association of Canadian Pension Management people feel that the ideal would be to have the same rules across the country.

A lot of the solutions to the bigger problems to do with pensions are not necessarily provincial. There are requirements for income tax acts. Perhaps some of those solutions are more federal in nature.

I know that the Association of Canadian Pension Management believes that you could provide several large plans operating multi-jurisdictionally that would provide the flexibility and choice of a savings option that employers and individuals need. They're against having a government-mandated payroll tax. It's not what the economy needs, they say. They're not in favour of a CPP supplemental plan, as is more or less what's being done in England. They suggest that private sector creativity and expertise are the best way to give choices to Canadians.

But there's a lot that has to happen to improve the environment for people to save in this country. A lot of it, I would say, needs to happen at the federal level—as I say, many changes to the Income Tax Act so that there aren't penalties for those people who are trying to save in an RRSP.

We need to promote plans that have auto-enrolment, to get past that situation where people just put off trying to save for retirement and don't make that decision. I would be in favour of some sort of plan. Looking at some private sector models makes sense as well.

Getting back to Bill 236, and being just about out of time, I would say it is a bill that—as I say, the government said they're going to have two bills. This one, even though when you get into it, as anyone listening would note, is very technical, it is described by the experts as tinkering around the edges, dealing with some of the more straightforward, less controversial issues—although the one aspect of it that I do have great concerns about, and I know that a lot of people who are involved in pensions have concerns about, is this grow-in provision. It's also making Ontario unique.

The other thing that makes Ontario unique in the country is that we have a pension benefits guarantee fund. Of course, recently the government just decided, funnily enough, with a by-election happening in Ottawa, to back up and add an extra \$100 million to \$200 million to backstop the pension benefits guarantee fund, as a by-election is going on that happens to have a lot of retired Nortel workers in that constituency.

Ontario is unique in the country, again, in terms of having a pension benefits guarantee fund, so if you're following the advice of the pension experts, you would question why we have that in the province of Ontario as well.

I've probably used up pretty much all of my time. I thank you for the opportunity to make some comments on Bill 236. We will look forward to seeing the bill go to committee so that those people who really are experts on pensions will get an opportunity to make comments on some of the more technical aspects of this bill.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): It being 6 of the clock, this House is adjourned until Thursday, February 18, at 9 of the clock.

The House adjourned at 1759.

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DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Education / Ministre de l'Éducation
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement
		Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB)	Oakville	
Fonseca, Hon. / L'hon. Peter (LIB)	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
Gerretsen, Hon. / L'hon. John (LIB)	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Hon. / L'hon. Linda (LIB)	Brampton–Springdale	Minister of Natural Resources / Ministre des Richesses naturelles
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	
McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Hon. / L'hon. Carol (LIB)	Huron–Bruce	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Murray, Glen R (LIB)	Toronto Centre / Toronto-Centre	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées
		Minister Without Portfolio / Ministre sans portefeuille
		Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales
		Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Revenue / Ministre du Revenu
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Transportation / Ministre des Transports
Yakubski, John (PC)	Renfrew–Nipissing–Pembroke	Opposition House Leader / Leader parlementaire de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	Leeds–Grenville	
Vacant	Ottawa West–Nepean / Ottawa-Ouest–Nepean	

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Amrit Mangat, Rosario Marchese
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Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé

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Michael Prue, Tony Ruprecht
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Carol Mitchell, Shafiq Qaadri
Elizabeth Witmer
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Vice-Chair / Vice-présidente: Christine Elliott
Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
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INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Mario Sergio.....	9321
Mr. Jeff Leal.....	9321
Hon. Margaret R. Best	9321
The Speaker (Hon. Steve Peters).....	9322

MEMBERS' STATEMENTS / DÉCLARATIONS DES DÉPUTÉS

Hospital funding	
Mr. John O'Toole.....	9322
Rose City Seniors Activity Centre	
Mr. Peter Kormos.....	9322
Brian Warren	
Mr. Mario Sergio.....	9322
Rotary clubs	
Mr. Gerry Martiniuk	9322
Providence Healthcare	
Mr. Lorenzo Berardinetti	9323
Children's aid societies	
Mr. Garfield Dunlop	9323
Youth Services Bureau	
Mr. Yasir Naqvi	9323
Education funding	
Mr. David Orazietti	9323
Canadian Women's Hockey Team	
Mr. Charles Sousa.....	9324

REPORTS BY COMMITTEES / RAPPORTS DES COMITÉS

Standing Committee on the Legislative Assembly	
Mr. Bas Balkissoon	9324
Report deemed adopted.....	9324

INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI

Full Day Early Learning Statute Law Amendment Act, 2010, Bill 242, Mrs. Dombrowsky / Loi de 2010 modifiant des lois en ce qui concerne l'apprentissage des jeunes enfants à temps plein, projet de loi 242, Mme Dombrowsky	
First reading agreed to.....	9324

Mining Amendment Act (Resources Processed in Ontario), 2010, Bill 243, Mr. Bisson / Loi de 2010 modifiant la Loi sur les mines (ressources transformées en Ontario), projet de loi 243, M. Bisson

First reading agreed to.....	9325
Mr. Gilles Bisson	9325

Public Transportation and Highway Improvement Amendment Act (Noise Remediation), 2010, Bill 244, Mr. Caplan / Loi de 2010 modifiant la Loi sur l'aménagement des voies publiques et des transports en commun (réduction du bruit), projet de loi 244, M. Caplan

First reading agreed to.....	9325
Mr. David Caplan.....	9325

Meningitis Awareness Day Act, 2010, Bill 245, Ms. Pendergast / Loi de 2010 sur le Jour de la sensibilisation à la méningite, projet de loi 245, Mme Pendergast

First reading agreed to.....	9325
Ms. Leeanna Pendergast.....	9325

MOTIONS

Private members' public business

Hon. James J. Bradley	9325
Motion agreed to	9325

STATEMENTS BY THE MINISTRY AND RESPONSES / DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Full-day kindergarten / Jardin d'enfants à temps plein

Hon. Leona Dombrowsky	9325
-----------------------------	------

Black History Month

Hon. Margaret R. Best	9326
-----------------------------	------

Full-day kindergarten

Mrs. Elizabeth Witmer	9327
-----------------------------	------

Black History Month

Mr. Ted Arnott	9327
----------------------	------

Full-day kindergarten

Mr. Rosario Marchese	9328
----------------------------	------

Black History Month

Ms. Andrea Horwath.....	9328
-------------------------	------

PETITIONS / PÉTITIONS

Taxation

Mrs. Julia Munro	9329
------------------------	------

Rail line expansion	
Ms. Cheri DiNovo	9329
Climate change	
Mr. Phil McNeely	9329
Hospital funding	
Mr. John O'Toole	9329
Diagnostic services	
Mme France G��linas.....	9330
Health care	
Mr. Norm Miller	9330
Taxation	
Mrs. Julia Munro	9330
Taxation	
Ms. Lisa MacLeod	9330
Taxation	
Mr. John Yakabuski.....	9331
Taxation	
Mr. Norm Miller	9331
Taxation	
Mrs. Joyce Savoline.....	9331
Climate change	
Mr. Phil McNeely	9331

ORDERS OF THE DAY / ORDRE DU JOUR

Pension Benefits Amendment Act, 2010, Bill 236,	
Mr. Duncan / Loi de 2010 modifiant la Loi sur les	
r��gimes de retraite, projet de loi 236, M. Duncan	
Mr. Wayne Arthurs.....	9332
Mr. John O'Toole	9338
Mr. Paul Miller	9338
Mr. Yasir Naqvi.....	9339
Ms. Lisa MacLeod.....	9339
Mr. Wayne Arthurs.....	9339
Mr. Norm Miller	9340
Second reading debate deemed adjourned.....	9348

CONTENTS / TABLE DES MATIÈRES

Wednesday 17 February 2010 / Mercredi 17 février 2010

ORDERS OF THE DAY / ORDRE DU JOUR

Energy Consumer Protection Act, 2010, Bill 235, Mr. Duguid / Loi de 2010 sur la protection des consommateurs d'énergie, projet de loi 235, M. Duguid

Mr. Peter Tabuns	9301
Mr. Phil McNeely	9306
Mr. Robert Bailey	9306
Mr. Howard Hampton	9307
Mrs. Maria Van Bommel	9307
Mr. Peter Tabuns	9307
Mr. Dave Levac	9307
Second reading debate deemed adjourned	9310

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

Mr. Ernie Hardeman	9310
Mr. Joe Dickson	9310
Mr. Mario Sergio	9310
Mr. Charles Sousa	9310
Hon. Michael Chan	9310
The Speaker (Hon. Steve Peters)	9310

Legislative pages

The Speaker (Hon. Steve Peters)	9310
---------------------------------------	------

ORAL QUESTIONS / QUESTIONS ORALES

Local health integration networks

Mr. Tim Hudak	9310
Hon. Dalton McGuinty	9311
Hon. Deborah Matthews	9311

Local health integration networks

Mr. Tim Hudak	9311
Hon. Deborah Matthews	9311

Health care funding

Ms. Andrea Horwath	9312
Hon. Dalton McGuinty	9312

Health care funding

Ms. Andrea Horwath	9313
Hon. Dalton McGuinty	9313

Local health integration networks

Mrs. Christine Elliott	9314
Hon. Deborah Matthews	9314

Darlington nuclear generating station

Mr. Peter Tabuns	9314
Hon. Brad Duguid	9314

Cultural funding

Mr. Reza Moridi	9315
Hon. Michael Chan	9315

Government's record

Mr. Peter Shurman	9315
Hon. Dalton McGuinty	9315

Government assets

Mr. Peter Tabuns	9316
Hon. Dalton McGuinty	9316

Consumer protection

Mr. Dave Levac	9316
Hon. Sophia Aggelonitis	9316

Nuclear industry

Mrs. Joyce Savoline	9317
Hon. Brad Duguid	9317

Pension reform

Ms. Andrea Horwath	9317
Hon. Dalton McGuinty	9317

Immigrant services

Mr. Bas Balkissoon	9318
Hon. Eric Hoskins	9318

Driver licences

Mr. John O'Toole	9319
Hon. Kathleen O. Wynne	9319

Tenant protection

Mr. Michael Prue	9319
Hon. Brad Duguid	9319

Workplace safety

Mr. Charles Sousa	9320
Hon. Peter Fonseca	9320

Use of question period

Mr. John Yakabuski	9320
Mr. Peter Kormos	9320
Hon. Monique M. Smith	9321
The Speaker (Hon. Steve Peters)	9321

Continued on inside back cover

4-11853

